K. Ireland:
George III

243. l.

ACTS AND STATUTES MADE

In a PARLIAMENT begun at *Dublin*, the Twenty-ſecond Day of *October*, *Anno Dom.* 1761, in the Firſt Year of the Reign of our Moſt Gracious Sovereign Lord, King *GEORGE* the Third.

BEFORE

His Excellency *Dunk* Earl of *Halifax*, Lord Lieutenant General, and General Governor of *Ireland*.

And continued under His Excellency *Hugh* Earl of *Northumberland*, Lord Lieutenant General, and General Governor of *Ireland*, by ſeveral Prorogations, until the Eleventh Day of *October*, 1763. Being the Second Seſſion of this preſent PARLIAMENT.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

BRITISH MUSEUM

THE

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OF THE

SECOND SESSION

OF

King GEORGE III.

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AN

ACT

FOR

Granting and Continuing to His Majeſty, an additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of *Great Britain.*



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Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

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FOR

AN

ACT

FOR

Granting and Continuing to His Majesty, an Additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of *Great Britain*.

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CHAP. I.

WE Your Majesty's most Dutiful and Loyal Subjects, the Commons of Ireland, in Parliament Assembled, having a just Sense of Your Royal Care for the Prosperity of all Your Subjects, and well knowing that the Security of this Your Realm, and the Continuance of the many Blessings we enjoy

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under Your mild and auſpicious Reign, depend on the Support of Your Majeſty's Government, do moſt humbly beſeech Your Majeſty that it may be Enacted; And be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that the ſeveral and reſpective Additional Rates, Duties and Impoſitions, on all Beer, Ale, Strong Waters, Wine, Spirits, Tobacco, and other Goods and Merchandizes, which by an Act of Parliament made and paſſed in this Kingdom, in the Second Year of Your Majeſty's Reign, Intitled, An Act for Granting, and Continuing to His Majeſty an Additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes, therein mentioned; and for Prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of Great Britain, were Granted and Continued unto Your Majeſty, until the Twenty fifth Day of December, in the Year of our Lord One Thouſand ſeven hundred and Sixty Three inclusive, be further Granted, Continued, Raiſed, Collected, Levied, and Paid unto Your Majeſty, Your Heirs, and Succeſſors, from the Twenty fifth Day of

of December One thouſand ſeven Hundred and Sixty three, until the Twenty fifth Day of December One thouſand ſeven Hundred and Sixty five inclusive.

And be it further Enacted, by the Authority aforeſaid, That all and ſingular the ſaid Duties hereby Granted and Continued, ſhall be Raiſed, Levied, Collected, and Paid unto Your Majeſty, Your Heirs and Succeſſors, during the Term aforeſaid, over and above all other Duties Payable for the ſame, by Virtue of an Act made in this Kingdom, in the fourteenth and fifteenth Years of the Reign of King Charles the Second, Intitled, An Act for the Settling the Exciſe or new Impoſt upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted; or by Virtue of one other Act made in the fourteenth and fifteenth Years of the Reign of the ſaid King Charles the Second, Intitled, An Act for ſettling the Subſidy of Poundage, and granting a Subſidy of Tunnage, and other Sums of Money unto His Royal Majeſty, His Heirs and Succeſſors, the ſame to be paid upon Merchandizes imported and exported into or out of the Kingdom of *Ireland*, according to the Book of Rates hereunto annexed.

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Provided allways, and be it further Enacted by the Authority aforesaid, That if the said Wines, Strong Waters, Spirits perfectly made, and Spirits made and distilled of Wine and Brandy, or Spirits above the Quality of Single Spirits, upon which the said additional Duties are Charged, shall after Payment thereof, or Security given for the same, be again Exported by any Merchant or Merchants, that is or are a Subject or Subjects of this Realm, or any other of Your Majesty's Dominions, within Twenty Four Kalendar Months, or by Merchant Strangers within Twelve Kalendar Months after the Importation thereof, and due Proof first made, by Certificate from the Proper Officer, of the due Entry of such Wines, Strong Waters, Spirits perfectly made, and Spirits made and Distilled of Wine, Brandy, or Spirits above the Quality of Single Spirits, and of the Payment of the said additional Duties hereby Granted and Charged thereon, or Security being given for the same, and that all other Requisites have been performed, which are by Law required to be performed in Cases where the Duties of Excise are to be repaid by Virtue of the before mentioned Act, Intitled, An Act for the Settling of the Excise or New Impost upon His Majesty, His

Heirs and Succeſſors, according to the Book of Rates therein inſerted; **that then the ſaid additional Duties ſhall, without any Delay or Reward, be paid or allowed unto ſuch Merchant or Merchants ſo Exporting the ſame, within one Month after Demand thereof, or the Security for the ſaid additional Duties by this Act charged ſhall be vacated or diſcharged, as to ſo much thereof as ſhall be ſo Exported; any thing herein contained to the contrary notwithſtanding.**

And be it further Enacted by the Authority aforeſaid, That for a further Supply to Your Majeſty, the further Additional Duty of Twenty Shillings Sterling on every Hundred Weight of Molaſſes, and the further Additional Duty of Twenty Shillings Sterling on every Hundred Weight of Treacle, which in and by the ſaid Act of Parliament, made and paſſed in this Kingdom in the Second Year of Your Majeſty's Reign, were granted and continued unto Your Majeſty, until the Twenty Fifth Day of December One thouſand ſeven hundred and ſixty three inclusive, be further granted, confirmed, collected, raiſed, levied and paid unto your Majeſty, Your Heirs and Succeſſors, from the ſaid Twenty Fifth Day of December One thouſand ſeven hun-

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dred and sixty three, until the Twenty fifth Day of December One thousand seven hundred and sixty five inclusive.

And be it further Enacted by the Authority aforesaid, That for and towards a further Supply to Your Majesty, an additional Duty of Sixpence per Yard for and upon all foreign Stuffs called Romalls, and all Manufactures made of Cotton, or of Cotton and Linen mixed, whether Plain, Painted, or Stained, which shall be imported into this Kingdom from any Parts beyond the Seas (except the Manufacture of Great Britain) and also an additional Duty of Sixpence per Yard over and above the present Duties for all Cambricks (not of the Manufacture of Great Britain) which shall be imported into this Kingdom exceeding a Yard wide, and which were by the said Act, passed in the second Year of Your Majesty's Reign, granted and continued to Your Majesty from the Twenty fifth Day of December One thousand seven hundred and fifty one, to the twenty fifth Day of December One thousand seven hundred and fifty three, be further granted and continued to Your Majesty, Your Heirs and Successors, to the Twenty fifth day of December One thousand seven hundred and sixty five, inclusive.

And

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And be it further Enacted by the Authority aforesaid, That a further additional Duty of Three pence per Yard upon all Cambricks and Lawns (not of the Manufacture of Great Britain) which shall be imported into this Kingdom from and after the Twenty fifth Day of December One thousand seven hundred and sixty three, and which by the said Act made in the Second Year of Your Majesty's Reign, were granted and continued 'till the Twenty fifth Day of December One thousand seven hundred and sixty three, be further granted and continued to Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December One thousand seven hundred and sixty three, to the Twenty fifth Day of December One thousand seven hundred and sixty five inclusive, over and above all other Duties payable for the same.

And be it further Enacted by the Authority aforesaid, That a further additional Duty of Three pence per Yard upon all Cambricks and Lawns (not of the Manufacture of Great Britain) which shall be imported into this Kingdom from and after the Twenty fifth Day of December One thousand seven hundred and sixty three, and which by the said Act made in the Second

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Year of Your Majesty's Reign, were granted and continued 'till the Twenty fifth Day of December One thousand seven hundred and sixty three, be further granted and continued to Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December One thousand seven hundred and sixty three, to the Twenty fifth Day of December One thousand seven hundred and sixty five inclusive, over and above all other Duties payable for the same.

And be it further Enacted by the Authority aforesaid, That for a further Supply to Your Majesty, an additional Duty of Six pence per Hide, for and upon every raw and untanned Hide which shall be exported out of this Kingdom to parts beyond the Seas, (except to Great Britain) and which by the said Act made in the Second Year of Your Majesty's Reign, were granted and continued to the Twenty fifth Day of December One thousand seven hundred and sixty three, be further granted and continued unto Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December One thousand seven hundred and sixty three, to the Twenty fifth Day of December One thousand seven hundred and sixty five inclusive.

And

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And be it further Enacted by the Authority aforesaid, That for a further Supply to Your Majesty, an additional Duty of One Shilling for every Rheam of Paper (over and above the Duties now payable thereon) which by the said Act made in the Second Year of Your Majesty's Reign, were granted and continued to the Twenty fifth Day of December One thousand seven hundred and sixty three, upon all Paper imported into this Kingdom (except of the Manufacture of Great Britain) provided such Paper exceeds five Shillings in Value per Rheam, be further granted and continued to Your Majesty, from the said Twenty fifth Day of December One thousand seven hundred and sixty three, to the Twenty fifth Day of December One thousand seven hundred and sixty five inclusive.

And be it further Enacted by the Authority aforesaid, That the additional Rates and Duties on Coffee, Tea, Chocolate, and Cocoa Nuts, which were granted and continued to Your Majesty, the said Act in the Second Year of Your Majesty's Reign, and which are thereby further granted and continued to Your Majesty, and all Monies arising thereby, shall be paid to the Trustees appointed for the Management

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of the Hempen and Flaxen Manufactures of this Kingdom, to be by them applied to Encourage and Support the said Manufactures and the Trade thereof in this Kingdom, and that the said additional Duties on raw and untanned Hides, and all Money arising thereby, shall be paid to the said Trustees, to be by them applied towards Encouraging the raising of Flax-Seed in this Kingdom, and that the said last mentioned further additional Duty of Three pence per Yard upon all Cambricks and Lawns, and all Money arising thereby, shall be paid and applied to the Use of the Governor and Company, for carrying on the Cambrick Manufacture in Dundalk, or elsewhere in this Kingdom.

And be it Enacted by the Authority aforesaid, That all and every the several and respective additional Rates and Duties hereby granted or continued, shall be raised, answered, collected and paid unto Your Majesty, Your Heirs and Successors, during the Term aforesaid, at the same Time, and in the like Manner, and by such Ways, Means and Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, and with such Powers, as are appointed, directed and expressed, in and by the

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said Act made in this Kingdom, in the Fourteenth and Fifteenth Years of the Reign of King Charles the Second, Intitled, An Act for the settling of the Excise or New Impost, upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted, or by any other Law now in Force relating to the Revenue of Excise in this Kingdom, as fully and effectually, to all Intents and Purposes, as if the same were particularly mentioned, expressed and enacted again in the Body of this present Act, with the like Remedy of Appeal, to and for the Party grieved, as in and by the said Act of Excise, or any other Law or Laws now in being, relating to the Duties of Excise, is or are provided.

And be it further Enacted by the Authority aforesaid, That the Sixpence per Pound, and all other Fees which shall or may be payable to the Vice Treasurer, or Vice Treasurers, Paymaster or Receiver General, upon issuing any Sum or Sums of Money, which shall or may arise out of the Aids Granted this Session of Parliament, or upon Issuing any Sum or Sums of Money, which shall or may be borrowed pursuant to any Act of Parliament, or Vote of Credit this Session of Parliament, shall

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be received by the said Vice Treasurer or Vice Treasurers, Receiver, or Paymaster General, for the use of Your Majesty, Your Heirs and Successors, during the Term aforesaid, and shall be duly accounted for by him or them to Your Majesty, Your Heirs and Successors, as a further and additional Aid hereby given and granted.

And be it further Enacted by the Authority aforesaid, That the several Sums herein after mentioned, be paid out of the aforesaid additional Duties and Aids, granted and continued to Your Majesty by this present Act, to the Persons herein after mentioned: (that is to say) The Sum of Two thousand Pounds per annum, for Two Years, from the Twenty fifth Day of December One thousand seven hundred and sixty three, to the Twenty fifth Day of December One thousand seven hundred and sixty five inclusive, to the Trustees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for Encouraging and raising sufficient Quantities of Hemp and Flax in this Kingdom; and also the further Sum of Two thousand Pounds per annum, for Two Years, from the said Twenty fifth Day of December One thousand seven hundred and sixty

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sixty three, to the said Twenty fifth Day of December One thousand seven hundred and sixty five inclusive, to the said Trustees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for the Encouragement of the said Hempen and Flaxen Manufactures in the Provinces of Leinster, Munster, and Connaught, freed and discharged from the Payment of Six pence per Pound, and all other Fees, which shall or may be Payable to the Vice Treasurer, Receiver, or Paymaster General of this Kingdom, Clerk of the Pells, or any other Officer or Officers of this Kingdom; the Sum of Two thousand Pounds to the Right Honourable the Speaker of the House of Commons, towards defraying his Extraordinary Expences during this Session of Parliament; the Sum of Five hundred Pounds, to Agmondisham and George Vesey Esquires, Accomptant General, as a Reward for their Expence and Trouble in Preparing and Stating the Public Accounts of the Nation laid before the House of Commons this Session of Parliament; the Sum of Five hundred Pounds to Edward Sterling and Henry Alcock Esquires, Clerks of the House of Commons, as a Reward for their Attendance and Service this Session of

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Parliament; the Sum of two hundred Pounds to Anthony Sterling Clerk Assistant, as a Reward for his Attendance and Service this Session of Parliament; the Sum of four hundred and twenty six Pounds thirteen Shillings and Four pence to James Bailie, Esq; Serjeant at Arms, as a Reward for his Attendance and Service this Session of Parliament; the Sum of three hundred and fifty Pounds to Benjamin Higgins and James Browne, the Clerks attending the Committee of Accounts and the other Committees of the House of Commons, as a Reward for their Attendance and Service this Session of Parliament, to be equally divided between them; the Sum of One hundred and twelve Pounds, to Abraham Bradley for Printing the Publick Accounts laid before the House of Commons this Session of Parliament; the Sum of fifty Pounds to Hulton Bradley, as a Reward for his Trouble and Attendance in delivering the Votes to the Members of the House of Commons this Session of Parliament; the Sum of eighty Pounds to James Savage and Thomas Gilmor Door-keepers to the House of Commons, as a Reward for their Attendance and Service this Session of Parliament, to be equally divided between them; the Sum of One hundred and fifty

Pounds

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Pounds to the Right Honourable the Speaker of the House of Commons, to be by him divided amongst the Back-door Keepers and Messengers attending the House of Commons, being thirteen in Number, in such Manner as he shall direct; the Sum of four hundred Pounds to John Wetherel as a Reward for his Industry and Expence in preparing and Framing the New Intended Book of Rates; the Sum of Two thousand five hundred Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland towards making the River Shannon Navigable from the City and Port of Limerick to the Town of Killaloe, to be by them accounted for to Parliament; the Sum of One thousand five hundred Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland to be by them applyed towards making the River Barrow Navigable from the Tide Water at St. Mullins to the Town of Monastereven in the County of Kildare, to be accounted for to Parliament; the Sum of One thousand five hundred Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland towards making the River Nore Navigable from the City of Kilkenny to the Town of Inisteague

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in the County of Killenny, to be by them accounted for to Parliament; the Sum of One thousand five hundred Pounds to John Smith Esquire Mayor, Francis Rowland and William Coles Esquires, Sheriffs of the City of Cork, Mr. James Morrison, Mr. William Fitton, Alderman Bradshaw, Messrs. George and James Piercy, Messrs. James and Paul Benson, Messrs. Joseph Devonshire and Thomas Strettle, Mr. Christopher Carleton, Mr. Hugh Lawton, Mr. Francis Carelton, Mr. Stephen Durroch, Mr. Peter Cambridge, Mr. John Digby, and Mr. Francis Gray Merchants, and James Harnet Esquire, or any five of them, for clearing and improving the Channel of Cork Harbour, from the Custom House Quay to the place called Black Rock, to be accounted for to Parliament; the Sum of One thousand five hundred Pounds to Thomas Eyre Esquire, and George Hamilton Esquire, the Trustees appointed for the Erecting a New Pier at Balbriggan, to reimburse them the Money they have advanced in the Execution of the said Work, and towards finishing the same agreeable to a Plan laid before the House, for which they are to be Accountable for to Parliament; the Sum of Two thousand Pounds to the Corporation for

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for promoting and carrying on an Inland Navigation in Ireland, towards making the River Lagan Navigable, and opening a Passage by Water from Lough-neagh, to the Town of Belfast, to be accounted for to Parliament; the Sum of Four thousand Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland, towards making and Compleating a Navigation for Ships of One hundred Tuns burthen, from Fathom Point near Newry, to Drumglass Colliery in the County of Tyrone, to be accounted for to Parliament; the Sum of One thousand Pounds to the Governors of Saint Patrick's Hospital, towards enabling them to Receive and Maintain a great Number of Patients; the Sum of One thousand Pounds to Thomas Eyre, Anthony Green, and George Martin, or any two of them, for carrying on the Pier at Dunleary, to be accounted for to Parliament; the Sum of One thousand Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland, to be by them applyed towards making and finishing a Harbour at Wicklow, to be accounted for to Parliament; the Sum of Four thousand Pounds to the Lord Mayor, Sheriffs, Commons, and Citi-

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zens of the City of Dublin, towards Enabling them to carry on the Ballaſt-Office-Wall, to be accounted for to Parliament; the Sum of One thouſand Pounds to the Miniſter and Church Wardens of the Pariſh of Saint John, Dublin, to be applied by them towards Rebuilding the Church in the ſaid Pariſh on account of the Inability of the Pariſhioners of the ſaid Pariſh to rebuild the ſame, and to be by them accounted for to Parliament; the Sum of One thouſand Pounds to William Colvill, Samuel Civil, and Arthur Bryan, to Aſſiſt them in leſſening the great Expence they have been at in Compleating a Dry Dock in the City of Dublin; the Sum of Six thouſand ſeven hundred and Ninety eight Pounds, twelve Shillings and nine Pence, to Abraham Bradley, the Coſt due for Printing and Binding the ſecond Edition of the Journals of the Houſe of Commons in eleven Volumes, and an Alphabetical Abridgment of the ſame for the uſe of the Members; the Sum of One hundred and fifty two Pounds to Timothy Dyton, Printer of the Dublin Gazette, to reimburſe him the Money he was out of Pocket by inſerting in his Gazette the Names of the Inſolvent Debtors in the ſeveral Goals of this Kingdom, in Purſuance

ance of the Act of Parliament made in that Case; the Sum of One thousand Pounds to the Governors and Guardians of the Hospital for the Relief of Poor lying in Women in Dublin, to enable them to Extend and Improve that useful Charity; the Sum of five hundred Pounds to Jane Mosse, Widow, for the use of Herself and the Children of the late Doctor Mosse; the Sum of Twelve thousand Pounds to the Incorporated Society for Promoting English Protestant Schools in this Kingdom, to be by them accounted for to Parliament; the Sum of Six thousand Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland, to be by them applyed in carrying on the Grand Canal from the City of Dublin, through the Bog of Allen to the River Shannon, and to be by them accounted for to Parliament; the Sum of One thousand Pounds to the Right Honourable Nathaniel Clements Esquire, Sir Ralph Gore Baronet, and William Burton Esquire, as Trustees to enable Thomas and Andrew Nesbit, Paul and James Benson Merchants, and Acheson Irwin Esquire, to erect Ware-houses and Boylers, and for providing Materials to extend and carry on the Whale Fishery on the North West Coast of this Kingdom, to be by

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them accounted for to Parliament; the Sum of One thouſand Pounds to the Vicar and Church-Wardens of the Pariſh of Saint Catherine, Dublin, to be applied by them towards finiſhing the Church in the ſaid Pariſh, to be accounted for to Parliament; the Sum of Eight thouſand Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland, to enable them to rebuild John's-Bridge and Green's-Bridge in the City of Kilkenny, and Bennet's-Bridge, Thomas-Town-Bridge, and Caſtlecomer-Bridge, in the County of Kilkenny, and to repair the Bridge of Enniſteague in ſaid County of Kilkenny, to be by them Accounted for to Parliament; the Sum of Eight hundred Pounds to Henry Cottingham and James King, to reimburſe them for the Loſſes by them Suſtained by the Tumultuous Proceedings of the late Mobs; the Sum of Three hundred and forty Pounds to Richard Levinge, Thomas Kingsbury and Robert Mears Eſquires, Henry Darley and Edward Croker Gentlemen, for Widening the Paſſage from Angleſea-Street to College-Green, to be accounted for to Parliament; the Sum of Three thouſand ſeven hundred and ſeventy one Pounds, to the Governors of the Work-houſe, to diſcharge the Debt contracted by them for the Support

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Support of Founding and Deserted Children; the Sum of Three thousand pounds, to Hugh Boyd Esquire, to reimburse him so much expended by him in repairing and making a Harbour at Ballycastle, with Piers of hewn Stone, on his giving Security by Recognizance before the Chief Baron, or one other of the Barons of his Majesty's Court of Exchequer in Ireland, that he will keep the said Harbour in Repair for the Term of Twenty one Years at his own Expence; the Sum of Two thousand Pounds to the Dublin Society, to enable them in a more ample Manner to Promote and Encourage Agriculture, Arts and Manufactures, by Premiums and Bounties; the Sum of Eight thousand Pounds to the Dublin Society, to be applied by them for the Encouragement of such Trades and Manufactures, and in such Manner, and Subject to such Regulations, as shall be directed by Parliament; the Sum of Five thousand Pounds to the Commissioners appointed by Act of Parliament, for making a wide and convenient Way, Street and Passage, from Essex-Bridge to the Castle of Dublin, towards paying several Persons from whom the Grounds and Houses necessary for compleating the Street leading from Essex-Bridge to the Castle

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of Dublin were purchased, and also towards defraying the Expences of carrying the said Act into Execution; the Sum of One thousand Pounds to the said Commissioners appointed by Act of Parliament for making a wide and convenient Way, Street and Passage, from Essex-Bridge to the Castle of Dublin, towards widening the Passage leading from the Inns-Quay, to Arran-Quay at the North End of the Old-Bridge, Dublin, to be accounted for to Parliament.

And be it further Enacted by the Authority aforesaid, That no Gold or Silver Lace whatsoever, (except of the Manufacture of Great-Britain) shall from and after the Twenty fifth Day of December One thousand seven hundred and sixty three be Imported into this Kingdom in any Ship or Vessel whatsoever, under the Penalty of the Forfeiture of all such Lace, and Treble the Value thereof, and the Ship or Vessel in which the Same shall be Imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel; one Moiety of which Forfeitures shall be and remain to Your Majesty, Your Heirs and Successors, and the other moiety to him or them who shall Seize and Sue for the same,

same, by Action, Bill, Plaint, or Information, in the Court of Exchequer, wherein no Wager of Law, Protection, Essoign, or other dilatory Plea, shall be allowed. CHAP. I.

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AN

ACT

FOR

Granting to His Majeſty the ſeveral Duties, Rates and Impoſitions, therein Expreſſed, to be applyed to Pay an Intereſt at the Rate of Four Pounds *per Cent. per Annum*, for Part of the Sums therein Provided for, and an Intereſt at the Rate of Five Pounds *per Cent. per Annum*, for the Reſidue of the Sums therein alſo Provided for, and towards the Diſcharge of the ſaid Principal Sums.

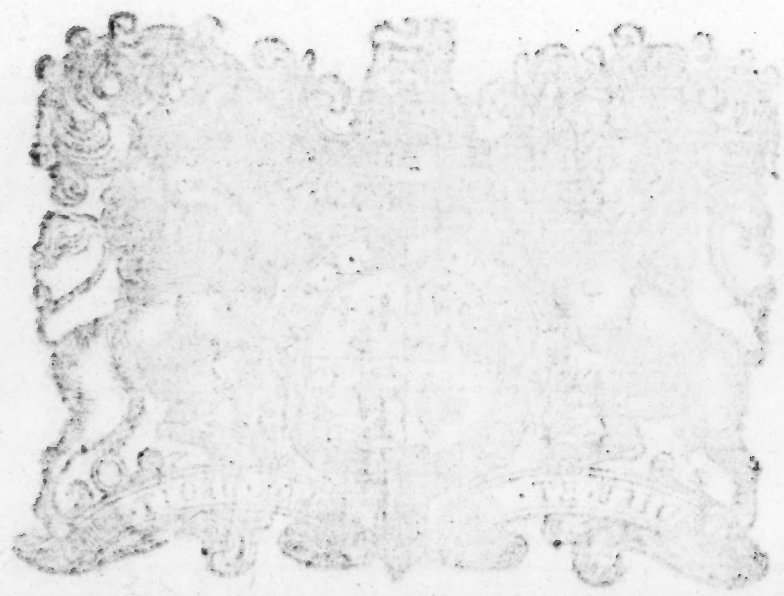
DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

CHAP.
II.

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FOR



AN

ACT

FOR

Granting to His Majeſty the ſeveral Duties, Rates and Impoſitions, therein expreſſed, to be applied to pay an Intereſt at the Rate of Four Pounds *per Cent. per Annum*, for Part of the Sums therein Provided for, and an Intereſt at the Rate of Five Pounds *per Cent. per Annum*, for the Reſidue of the Sums therein alſo Provided for, and towards the Diſcharge of the ſaid Principal Sums.

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WHEREAS by an Act of Parliament made and paſſed in the Second Year of Your Majeſty's Reign, Intitled, An Act for granting to His Majeſty the ſeveral Duties, Rates and Impoſitions, therein expreſſed, to be applied to pay an

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Intereſt, at the Rate of Five Pounds *per cent. per annum*, for the ſeveral Sums therein provided for, and towards the Diſcharge of the ſaid Principal Sums, **Several Aids and additional Duties were granted to Your Majeſty, from the Twenty fifth Day of** March **One thouſand ſeven hundred and ſixty two, until the Twenty fifth Day of** December **One thouſand ſeven hundred and ſixty three Incluſive, and no longer, to pay an Intereſt at the Rate of Five Pounds** per centum per annum, **for the Sum of Three hundred and fifty thouſand Pounds, in the ſaid recited Act particularly mentioned, and alſo the like Intereſt for ſuch further Sum or Sums of Money, not exceeding in the whole the Sum of Four hundred thouſand Pounds, as ſhall be actually paid into Your Majeſty's Treaſury, at the Inſtance of his Excellency the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the Time being, to ſupply ſuch Deficencies as might ariſe in the Aids granted in the ſaid Seſſion of Parliament, for the Support of Your Majeſty's Civil and Military Eſtabliſhments, and other neceſſary Expences of Government, and towards the Diſcharge of ſuch Principal Sum and Sums as had been borrowed, and of ſuch Sum and**

as should be borrowed for the purpose aforesaid. CHAP. II.

And whereas in pursuance of the said Act of Parliament, Debentures or Receipts have been Issued out of Your Majesty's Treasury, for the Sum of Six hundred and fifty thousand Pounds, and the Sum of Five hundred and fifty thousand Pounds, part thereof does now bear an Interest at the Rate of Five Pounds per centum per annum; and the Sum of One hundred thousand Pounds, the Residue of the said Sum of Six hundred and fifty thousand Pounds, which was paid into Your Majesty's Treasury on the Twenty fifth Day of March One thousand seven hundred and sixty three, is to carry the like Interest from the Twenty fifth Day of March One thousand seven hundred and sixty four.

And whereas the several Aids and Duties granted to Your Majesty, in and by the said recited Act, have not proved sufficient to pay and discharge the said Principal Sums of Five Hundred and fifty thousand Pounds and One Hundred thousand Pounds, and the Interest thereof, but the whole, or the greatest

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Part of the said Principal Sums, will remain unpaid and unsatisfied on the said Twenty fifth Day of December One thousand seven hundred and sixty three; We, therefore, Your Majesty's most dutiful and loyal Subjects the Commons of Ireland in Parliament assembled, Do most humbly beseech Your Majesty that it may be Enacted, and be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, that for the said Sum of Five hundred and fifty thousand Pounds, or such Part thereof as shall remain unpaid on the Twenty fifth Day of December One thousand seven hundred and sixty three, there shall be paid at the Receipt of Your Majesty's Exchequer, by the Hands of the Vice Treasurer or Pay Master General, Vice Treasurers or Paymasters General, his or their Deputy or Deputies, at the End of every Six Kalendar Months, from the said Twenty fifth Day of December One thousand seven hundred and sixty three, to the Person or Persons who have Paid or Lent the said Sum of Five hundred and fifty thousand Pounds, his, her, or their Executors,

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Executors, Administrators, or Assigns, an Interest according to the Rates herein after mentioned: (that is to say) for the Sum of Three hundred and fifty thousand Pounds, Part of the said Sum of Five hundred and fifty thousand Pounds, an Interest according to the Rate of four Pounds per centum per annum, from the said Twenty fifth Day of December One thousand seven hundred and sixty three, and for the Sum of Two hundred thousand Pounds, Part also of the said Sum of Five hundred and fifty thousand Pounds, an Interest according to the Rate of Five Pounds per centum per annum, from the said Twenty fifth Day of December One thousand seven hundred and sixty three, and for the said Sum of One hundred thousand Pounds, the Residue of the said Sum of Six hundred and fifty thousand Pounds, which was paid into Your Majesty's Treasury on the Twenty fifth Day of March One thousand seven hundred and sixty three, an Interest at the Rate of Five Pounds per centum per annum, to commence from the Twenty fifth Day of March One thousand seven hundred and sixty four, without any Fee or Chatge, and free from all Deductions, Defalcations and Abate-

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ments whatsoever, from and after the said Twenty fifth Day of December One thousand seven hundred and sixty three, and Twenty fifth Day of March One thousand seven hundred and sixty four respectively, until such Time as they shall be respectively paid their Principal Money at one intire Payment.

And be it further Enacted, by the Authority aforesaid, That for the ascertaining which of the Debentures or Receipts issued for the said Sum of five hundred and fifty thousand Pounds, Part of the said Sum of Six hundred and fifty thousand Pounds, which shall remain Unpaid on the said Twenty fifth Day of December One thousand seven hundred and sixty three, shall be Reduced to an Interest according to the Rate of Four Pounds per centum per annum, the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, shall on or before the first Day of March One thousand seven hundred and sixty four, cause the Numbers of all the said Receipts or Debentures, amounting to the said Sum of five hundred and fifty thousand Pounds, which has Paid into Your Majesty's Treasury before the said Twenty fifth Day of March One thousand seven hundred and sixty three,

and

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and which shall remain Unsatisfied on the said twenty fifth Day of December One thousand seven hundred and sixty three, and the Sums therein respectively contained to be written on several Tickets or Pieces of Parchment, and to be Rolled and Sewed up and put into a Box or Urn, and well mixed together, and an indifferent Person shall Publickly between the Hours of Nine in the Forenoon and Four in the Afternoon, of a Day to be by the said Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, publickly Advertised in the Dublin Gazette for that Purpose (at least twenty Days before at the Office of the Vice Treasurer, or Vice Treasurers, in the Castle of Dublin) draw out of such Box or Urn as many of the said Tickets or Pieces of Parchment, as the Sums therein Contained shall amount to the Sum of Two hundred thousand Pounds, and the Person or Persons the Number of whose Debenture or Receipt shall be so drawn, his, her, or their Executors, Administrators, or Assignes, shall be paid from the said Twenty fifth Day of December One thousand seven hundred and sixty three, an Interest according to the Rate of Five Pounds per centum per annum, for their said respective Principal Sums which

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shall be so drawn, until such time as they shall be respectively paid their Principal Money at One entire Payment, and that the Person or Persons who shall be Intitled to such of the said Debentures or Receipts as shall remain undrawn; shall be paid from the said twenty fifth Day of December One thousand seven hundred and sixty three, an Interest according to the Rate of Four Pounds per centum per annum, for their said several Principal Sums which shall be so undrawn, until such time as they shall be respectively paid their Principal Money at one entire Payment.

And be it further Enacted by the Authority aforesaid, That each and every Person Intitled to any Part of the said Sum of three hundred and fifty thousand Pounds, which shall remain undrawn as aforesaid, shall Deliver or cause to be Delivered to the Vice Treasurer, or Vice Treasurers, his or their Deputy or Deputies, all the Receipts or Debentures, whereby such Person or Persons respectively is or are Intitled to any Part of the said Sum of Three hundred and fifty thousand Pounds, which said Debenture and Debentures, Receipt and Receipts, the said Vice Treasurer, or Vice Treasurers, his or their Deputy or Deputies, is and

and are hereby impowered and required to Receive and Cancel, and to make out and Deliver New Debentures or Receipts to such Person or Persons respectively, their Executors, Administrators and Assigns, who shall deliver, or cause to be delivered, such former Debentures or Receipts for the Sums contained in such former Debentures or Receipts, with Interest for the same according to the Rate of four Pounds per centum per annum, and that the said Debentures or Receipts to be delivered out (in Lieu of those which are to be Cancelled as aforesaid) together with the Debentures or Receipts which are to be issued for the Sum or Sums of Money which shall be Advanced and Lent, pursuant to this Act, shall be numbred One, Two, Three, and so onwards in Arithmetical Progression, where the common Excess or Difference is to be One, until the whole shall be Numbred in Manner as aforesaid.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons who shall be Intitled to any Part of the said Sum of five hundred and fifty thousand Pounds, which shall remain Unpaid on the said Twenty fifth Day of December One thousand seven hundred and sixty three,

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shall not be willing to continue their said Principal Sums at the Interest of five Pounds per centum per annum, and four Pounds per centum per annum, respectively as foresaid, then and in that Case the Person or Persons, his, her, or their Executors, Administrators, or Assigns, who shall not be willing to continue their said Principal Sums at the said respective Rates of four Pounds and five Pounds per cent. per annum, shall upon Application to the Vice Taluter or Vice Teasurers, his or their Deputy or Deputies, at any time before the first Day of February One thousand seven hundred and sixty four, and upon the Assignment of their unsatisfied Debentures or Receipts to the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, be paid the Principal Sum or Sums due to them respectively on the said twenty fifth Day of December One thousand seven hundred and sixty three, and all Interest due thereon at the Time of such Payment, and the said Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, shall and may Assign such Receipts or Debentures to such Person or Persons who shall Advance the Principal Money, and the Interest Due on Account thereof, at the Time of such Assignment, which Receipt or Debenture so to be Assigned

Aſſigned by the ſaid Vice Treaſurer or Vice Treaſurers, his or their Deputy or Deputies, ſhall Intitle the Aſſignee thereof to the Principal Money due thereon, and to all Intereſt Due for the ſame, from the Twenty fifth Day of December One thouſand ſeven hundred and ſixty three, according to the reſpective Rates of Intereſt before mentioned. CHAP. II.

And whereas it may be neceſſary, that a further Sum or Sums of Money ſhould be borrowed to ſupply ſuch Deficiencies as may ariſe in the Aids granted this Seſſion of Parliament, for the Support of Your Majeſty's Government, and for Payment of the ſeveral Sums granted this Seſſion for carrying on Publick Works of this Kingdom: Be it further Enacted by the Authority aforeſaid, That for all and every ſuch further Sum and Sums of Money, not exceeding in the Whole the Sum of One hundred thouſand Pounds, as ſhall be actually paid by any Perſon or Perſons into Your Majeſty's Treaſury, at the Inſtance of His Excellency the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the Time being, to Supply ſuch Deficiencies as ſhall or may ariſe in the Aids granted this Seſſion of Parliament

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for the Support of Your Majesty's Government, and for Payment of the several Sums granted in this Session for carrying on Publick Works in this Kingdom, there shall be paid at the Receipt of Your Majesty's Exchequer, by the Hands of the Vice Treasurer or Paymaster General, Vice Treasurers or Paymasters General, his or their Deputy or Deputies, at the End of every six Kalendar Months, to be computed from the respective Times of such Payments, to the Person or Persons so Paying or Lending the same, his, her, or their Executors, Administrators or Assigns, an Interest according to the Rate of four Pounds per centum per annum, without any Fee or Charge, and free from all Deductions, Defalcations, and Abatements whatsoever, until such time as they shall be respectively paid their Principal Money at one entire Payment.

And be it further Enacted by the Authority aforesaid, That such like Debentures, or Receipts, shall be given by the Officers of Your Majesty's Treasury, for all and every Sum and Sums of Money to be paid into the Receipt of Your Majesty's Exchequer, on account of the said intended Loan, not exceeding the Sum of One hundred thousand Pounds, as were given

given or shall be given, in pursuance of this Act, for the several Sums advanced on account of the said Sum of Five hundred and fifty thousand Pounds, and One hundred thousand Pounds herein before mentioned, and to be Numbred as aforesaid in an Arithmetical Progression.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons, to whom Debentures or Receipts have been given for the said Sum of Five hundred and fifty thousand Pounds, and the said Sum of One hundred thousand Pounds, paid into Your Majesty's Treasury on the Twenty fifth Day of March One thousand seven hundred and sixty three, or any Part thereof, and that all and every Person or Persons, to whom Debentures or Receipts shall be given pursuant to this Act, his, her, or their Executors, Administrators or Assigns, may, by Indorsements on such Debentur s or Receipts, transfer the Right and Benefit of the Sum Due on such Debentures or Receipts, which Indorsements, upon Notice to the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, and an Entry or Memorial thereof made

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in the ſaid Vice Treaſurer's Office, which the ſaid Vice Treaſurer or Vice Treaſurers, his or their Deputy or Deputies, ſhall upon Requeſt, without Charge, Fee, or Reward, make accordingly, and ſhall on Requeſt permit the ſame to be Revived at uſual Office Hours, without Fee or Reward, ſhall Intitle the Indorſee or Aſſignee, his or her Executors, Adminiſtrators and Aſſigns, to the ſole Benefit of the Sum ſo Transferred or Aſſigned, and that the ſaid Debenture, or Receipt, may in like manner be aſſigned or Tranſferred by ſuch Aſſignee, his or her Executors, Adminiſtrators or Aſſigns, and ſo toties quoties, and that after ſuch Aſſignment, it ſhall not be in the Power of the Perſon or Perſons who made ſuch Aſſignment, to make Void, Releaſe or Diſcharge, the ſaid Aſſignment, or to Diſcharge or Receive the Sum thereby Tranſferred, or Aſſigned, or any Part thereof.

And to the End and Intent that the Intereſt of ſuch Part of the ſaid Sum of Five hundred and fifty thouſand Pounds, and the ſum of One hundred thouſand Pounds, which was Paid into Your Majeſty's Treaſury on the Twenty fifth Day of

of March One thouſand ſeven hundred and ſixty three, as ſhall remain Unpaid on the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty three, and alſo the Intereſt of the ſaid Sum, not exceeding the Sum of One hundred thouſand Pounds, or ſo much thereof as ſhall be raiſed in purſuance of this Act, may be duly and regularly Paid Half-yearly according to the Rates herein before mentioned, and according to the true Intent and Meaning of this Act, be it further Enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of December which ſhall be in this preſent Year of our Lord One thouſand ſeven hundred and ſixty three, there ſhall be throughout Your Majeſty's Kingdom of Ireland Raiſed, Levyed, Granted, Collected and Paid to Your Majeſty, Your Heirs and Succeſſors, until the Twenty fifth Day of December One thouſand ſeven hundred and ſixty five inclusive, and no longer, over and above all other Rates and Duties payable by Virtue of any Act of Parliament now in Force in this Kingdom, and over and above the ſeveral additional Duties granted and continued to Your Majeſty this preſent Seſſion of Parlia-

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ment, by an Act intitled, An Act for granting and continuing to His Majesty an additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, and other Goods and Merchandizes therein mentioned, and for prohibiting the Importation of all Gold and Silver Lace, (except of the Manufacture of *Great-Britain*,) the several further new additional Rates and Duties herein after mentioned: (that is to say) a further additional Duty of Six Pounds per Tun for and upon all Sorts of Wine of the Growth of France or Spain, and Three Pounds per Tun for and upon all Sorts of Wine of the Growth of Portugal, and of Five Pounds per Tun for and upon all other Wines that shall be Imported into this Kingdom from and after the Twenty fifth Day of December One thousand seven hundred and sixty three, and also an additional Duty of Four Pounds Sterling per Pound Weight for and upon all Velvets and Manufactures made of or mixed with Silk, (Except those of Great-Britain, China, Persia, and the East-Indies) that shall be Imported into this Kingdom from and after the Twenty fifth Day of December One thousand seven hundred and sixty three; an additional Duty of One Half penny per Pound Weight for and upon all Hops that

that ſhall be Impoꝛted into this Kingdom from and after the Twenty fifth Day of December One thouſand ſeven hundꝛed and ſixty thꝛee; an additional Duty of Five Pounds per centum, foꝛ and upon all China, Earthen, Japanned oꝛ Laquered Ware, as valued oꝛ rated foꝛ Cuſtom by the Book of Rates, that ſhall be impoꝛted into this Kingdom from and after the ſaid Twenty fifth Day of December One thouſand ſeven hundꝛed and ſixty thꝛee; an additional Duty of Thirty ſhillings per Tun, foꝛ and upon all Soꝛts of Vinegar that ſhall be Impoꝛted into this Kingdom from and after the ſaid Twenty fifth Day of December One thouſand ſeven hundꝛed and ſixty thꝛee; a further additional Duty of Two Pence per Gallon foꝛ and upon every Gallon of Aqua Vitæ, Strong Waters, and Spirits that ſhall be made oꝛ diſtilled within this Kingdom foꝛ Sale, to be paid by the Firſt Maker oꝛ Diſtiller thereof, from and after the ſaid Twenty fifth Day of December One thouſand ſeven hundꝛed and ſixty thꝛee; a further additional Duty of Two Pence per Pound foꝛ and upon all Coffee that ſhall be Impoꝛted into this Kingdom from and after the Twenty fifth Day of December One

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thouſand ſeven hundred and ſixty three; a Duty of Ten Shillings per annum, to be Paid by every Perſon that doth or ſhall Sell or Tap out by Retail any Cyder, at any Time between the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty three, and the Twenty fifth Day of December One thouſand ſeven hundred and ſixty five inclusive; a Duty of One Penny per Gallon for and upon all Cyder that ſhall be Sold or Tapped out by Retail, to be Paid by the Perſon who ſhall Sell or Tap out the ſame by Retail, from and after the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty three; an additional Duty of Twenty Shillings to be Paid by every Perſon for every Coach, Chariot, Berlin, Calaſh, or Chaiſe with Four Wheels, which ſuch Perſon ſhall keep in his or her Poſſeſſion, (except Hackney or Stage Coaches, and Coaches kept by Coach-makers for Sale) at any Time between the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty three, and the Twenty fifth Day of December One thouſand ſeven hundred and ſixty four inclusive; an additional Duty of Twenty Shillings, to be Paid by every Perſon for every Coach, Chariot, Berlin, Calaſh,

or

or Chaise with Four Wheels, which such Person shall keep in his or her Possession, (except as aforesaid) at any Time between the said Twenty fifth Day of December One thousand seven hundred and sixty four, and the said Twenty fifth Day of December One thousand seven hundred and sixty five inclusive; an additional Duty of Two shillings per Tun, for and upon every Tun of Soap-boylers Waste, and so in Proportion for a greater or lesser Quantity, that shall be Exported out of this Kingdom to Parts beyond the Seas, from and after the Twenty fifth Day of December One thousand seven hundred and sixty three; an additional Duty of Three Pounds per Tun, for and upon every Tun of Linen Rags, and so in Proportion for a greater or lesser Quantity, that shall be Exported out of this Kingdom to Parts beyond the Seas, from and after the Twenty fifth Day of December One thousand seven hundred and sixty three. CHAP. II.

And be it further Enacted by the Authority aforesaid, That if the said Wines and other Merchandizes herein before mentioned, upon which the said Additional Duties are hereby charged upon the Importation thereof, shall be again Exported by any Mer-

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thant or Merchants that is or are a Subject or Subjects of this Realm, or any other Your Majesty's Dominions, within Twenty four Kalendar Months, or by Merchant Strangers within Twelve Kalendar Months, after the Importation thereof, and that due Proof be first made by Certificate from the proper Officers of the due Entry and Payment of the said Additional Duties hereby granted, and that all other Requisites shall be performed, which are by Law required to be performed in those Cases where the Duties of Excise are to be Repaid, that then the said Additional Duties hereby Imposed shall, without any Delay or Reward, be repaid or allowed unto such Merchant or Merchants so Exporting the same within one Month after Demand thereof, or the Security for the said Additional Duties by this Act charged shall be Vacated, as to so much as shall be so Exported; any thing herein contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of December One thousand seven hundred and sixty three, no Person or Persons whatsoever shall Sell or Tap out by Retail any Tyder within this Kingdom, but only such as shall be Licensed

censed according to the Directions of this Act, under such Penalty as hereinafter is expressed. CHAP. II.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of December One thousand seven hundred and sixty three, it shall and may be Lawful to and for the Chief Commissioners of His Majesty's Excise, or any three of them, and the Collector of His Majesty's Excise in their several and respective Districts from time to time to issue and grant such Licences for the Selling and Tapping out Cyder by Retail, and that for every such Licence so to be granted the Sum of One Shilling and One Penny, and no more, shall be paid or demanded as a Fee for the same; and if any Person or Persons shall from and after the Twenty fifth Day of December, One thousand seven hundred and sixty three, Sell or Tap out Cyder by Retail, without such Licence as aforesaid, every such Person so offending shall, for every time he or she shall so offend, forfeit and pay the Sum of Five Pounds.

And be it further Enacted by the Authority aforesaid, That for the better Ordering and Collecting the said Duty of One Penny per Gallon for and upon all Cyder that

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shall be sold or tapped out by Retail, it shall and may be lawful to and for the Gauger or Gaugers, and Officers of Excise within their respective Districts, from time to time, from and after the said Twenty fifth Day of December One thousand seven hundred and Sixty three, to enter in the Day time into the Houses, Out-houses, Store-houses, and Cellars of every Retailer or Retailers of Cyder, and to take an Account of all such Cyder as shall be found in the possession of such Retailer or Retailers of Cyder, and to charge such Retailer or Retailers with the said Duty of One Penny per Gallon accordingly.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty Fifth Day of December One thousand seven hundred and Sixty three, every Retailer of Cyder shall shew to the Gauger or Officers of Excise, on Demand, all his or her Stock of Cyder then on hand, and in Case any such Retailer or Retailers of Cyder, or his, her, or their Servant or Servants, in Case such Retailer or Retailers shall not be present when the Gauger or Officers of Excise shall come to such Retailer's House to take Stock as aforesaid, shall refuse to make Declaration, and shew

all

all his or her Stock of Cyder then on Hand, every such Retailer shall for every such Offence forfeit and lose the Sum of Ten Pounds, and if such Gauger or Officers of Excise shall, after Declaration made as aforesaid, find any Cyder in the Possession or Custody of such Retailer or Retailers, over and above the Quantity so shewn and Declared, such Retailer shall likewise Forfeit and lose the Sum of Ten Pounds.

And be it further Enacted by the Authority aforesaid, That for the better Collecting the said Duty chargeable on every Person who shall keep any Carriages with four Wheels (except as before Excepted) every Person who, from and after the Twenty fifth Day of December One thousand seven hundred and sixty three, shall have or keep any Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, shall within three Kalendar Months after the said Twenty fifth Day of December, or within three Kalendar Months after he or she shall have or keep any such Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, by Writing under his or her Hand Certify to the Collector of the District where he or she shall reside or dwell, a true Account of every such Coach, Chariot, Berlin, Calash, and Chaise with

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four Wheels, which he or she shall have or keep (except Hackney or Stage Coaches and Coaches kept by Coach-makers for Sale) with the Name of the Place and Parish of his or her usual Residence or Abode, which said Certificate shall be kept by the respective Collectors of the several Districts in this Kingdom, now or hereafter to be appointed by the Commissioners of his Majesty's Revenue in this Kingdom, or any three or more of them, and shall be also Entered in a Book to be by them respectively kept for that purpose, and a Number shall be Entered on each Certificate registered, and that the said Collectors respectively shall, under their Hands, on or before the twenty fifth Day of December in every Year, give a true List of all Coaches, Chariots, Berlins, Calashes, and Chaises with four Wheels, from time to time returned to them respectively in such Certificates, with the Names of the Persons and Places of their Abode respectively mentioned in such respective Certificates to the Person who for the time being shall be Appointed by the Commissioners of his Majesty's Revenue of Excise, or any three of them, to Collect and Receive the said Duties, and that such Person and Persons as shall be appointed by the said Commissioners of Excise, or any three of them

them, to Collect the said Duties on Coaches, Chariots, Berlins, Calashes, and Chaises with four Wheels, shall have full Power and Authority to Collect and Receive the same, and shall respectively sign and deliver Acquittances without Fee or Reward for the same, and shall keep Duplicates thereof in a Book to be kept for that Purpose, in the same Manner as Acquittances are given and kept for the Duty of Fire Hearths, and shall respectively return the Book containing the Duplicates of such Acquittances to such Person and Persons, and at the same Times, and to be disposed of in the same Manner, as Books containing the Duplicates of Acquittances for the said Duty on Fire Hearths are returned.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall have or keep any Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, chargeable with the said Duty by Virtue of this Act, which shall not be Rectifyed in Manner as aforesaid, then and in such Case every such Person and Persons so having or keeping such Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, not certifyed as aforesaid, shall for such Neglect

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forfeit the Sum of Five Pounds: Provided nevertheless, that every Person (except as before Excepted) having in his or her Keeping or Possession any Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, belonging to another, shall be charged for every such Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, with the said Duty imposed by this Act, in the same Manner as the Owner or Proprietor thereof is or ought to be charged or chargeable for the same by this Act.

And be it further Enacted by the Authority aforesaid, That the Person or Persons who, for the Time being, shall be authorized and impowered to collect and levy the said Duty on Coaches, Chariots, Berlins, Calashes, and Chaises with Four Wheels, shall pay the same to the said Collectors of the several Districts where the said Duties shall be collected and raised, and that the said Collectors shall keep separate and distinct Accounts thereof, and pay the same into Your Majesty's Treasury, as other Money received by them for the Use of Your Majesty.

And

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And be it further Enacted by the Authority aforesaid, That all and every the several and respective additional and other Duties hereby granted, shall be Raised, Answered, Collected and paid unto Your Majesty, Your Heirs and Successors, during the Term aforesaid, at the same Time, and in like Manner, and by such Ways, Means and Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, (except wherein it is by this present Act otherwise directed) and with such Powers as are appointed, directed and expressed, in and by an Act made in this Kingdom in the Fourteenth and Fifteenth Years of the Reign of King Charles the Second, Intitled, An Act for the settling of the Excise, or New Impost, upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted, or by any other Law now in Force relative to the Revenue of Excise in this Kingdom, as fully and effectually, to all Intents and Purposes, as if the same were particularly mentioned, specified, and enacted again in the Body of this present Act, with like Remedy of Appeal to and for the Party grieved, as in and by the said Act of Assize,

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size, or any other Law or Laws now in being relating to the Duties of Excise is provided.

And be it further Enacted by the Authority aforesaid, That neither the Six pence per Pound, nor any other Fee, shall be payable to, or be deducted or reserved by, the Vice Treasurer or Vice Treasurers, Receiver or Paymaster General, Clerk of the Pells, or any other Officer or Officers of this Kingdom, for or on Account of the Issuing or Payment of any Sum or Sums of Money arising by, or which shall be received for, or on account of the Aid hereby granted to Your Majesty, or for or on account of any other Aid granted, or to be granted, to Your Majesty during this Session of Parliament, or of any Payment to be made in pursuance of this Act.

And be it further Enacted by the Authority aforesaid, That the several Duties and Aids hereby granted unto Your Majesty, shall in the first place be applied and paid by the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, to the Discharge of the Interest of the said Sum of Five hundred and fifty thousand Pounds,

Pounds, or such Part thereof as shall remain unpaid on the said Twenty fifth Day of December in the Year of our Lord One thousand seven hundred and sixty three, and also to the Discharge of the Interest of the said Sum of One hundred thousand Pounds, which shall incur or grow due from and after the Twenty fifth Day of March One thousand seven hundred and sixty four; and also to the Discharge of the Interest of a Sum not exceeding the said Sum of One hundred thousand Pounds, or so much thereof as shall be borrowed in pursuance of this Act, in the Manner and at the respective Times, and according to the several and respective Rates of Interest herein before mentioned and appointed for that Purpose; and that all the Surplus or Exceeding of the said Aids and Duties hereby granted to Your Majesty, over and above what shall be sufficient to discharge the Interest of the said several and respective Principal Sums already borrowed, and that shall be borrowed in pursuance of this Act, shall in the first Place be applyed towards the Discharge of the said Principal Sum of Two hundred thousand Pounds which is to Remain at an Interest of Five Pounds per centum per annum, or such part thereof

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as ſhall remain unpaid on the Twenty fifth Day of December One thouſand ſeven hundred and ſixty three, and from and after the Payment of the ſaid Principal Sum of Two hundred thouſand Pounds towards the Payment and Diſcharge of the ſaid Principal Sum of One hundred thouſand Pounds, which is to bear an Intereſt of Five Pounds per centum per annum, from the Twenty fifth Day of March One thouſand ſeven hundred and ſixty four, and from and after Payment of the ſaid Two reſpective Principal Sums of Two hundred thouſand Pounds, and One hundred thouſand Pounds, which by this Act are to remain at an Intereſt of Five Pounds per centum per annum, then towards the Payment and Diſcharge of the ſaid Principal Sum of Three hundred and fifty thouſand Pounds, which by this Act is to carry an Intereſt at the Rate of Four Pounds per centum per annum, or ſo much thereof as ſhall remain unpaid on the Twenty fifth Day of December One thouſand ſeven hundred and ſixty three, and alſo towards the Payment of ſuch Sum or Sums, not exceeding in the Whole the Sum of One hundred thouſand Pounds, as ſhall be actually paid into Your Majeſty's Treaſury, at the Inſtance of His Ex-

Excellency the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the Time being, to supply such Deficiencies as may arise in the Aids granted this Session of Parliament for the Support of Your Majesty's Civil and Military Establishments, and other Necessary Expences of Government, and for the payment of the several Sums granted in this Session of Parliament for carrying on Publick Works in this Kingdom.

And be it further Enacted by the Authority aforesaid, That from and after Payment of the Interest of the said several and respective Sums before mentioned, and when and as often as any Surplus or Exceeding of the Aids and Duties hereby granted shall be received by the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, and that such Surplus or Exceeding shall amount to the Sum of Five thousand Pounds, that then the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, shall cause the Numbers of such Receipts or Debentures amounting to the said Principal Sum of Two hundred thousand Pounds, which Pursuant to this Act is to bear an Interest at the Rate of Five

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Pounds per centum per annum, and the Sums therein contained, to be written on several Tickets or Pieces of Parchment, and to be Rolled and Selved up and put into a Box or Urn and well mixed together, and an indifferent Person shall Publickly between the Hours of Ten and Twelve in the Forenoon, of a Day to be by the said Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, publickly Advertized in the Dublin Gazette for that Purpose, at least Twenty Days before, at the Office of the Vice Treasurer or Vice Treasurers in the Castle of Dublin, Draw out of such Box or Urn as many of the said Tickets or Pieces of Parchment as the Sums therein contained shall amount to the said Sum of Five thousand Pounds, and the Person or Persons, the Number of whose Debentures or Receipts shall be so Drawn, his or their Executors, Administrators or Assigns, shall within Twenty Days after the said Tickets or Pieces of Parchment shall be Drawn, be paid by the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, the Principal Sums to him, her, or them respectively due, with Interest for the same at the Rate of Five Pounds per centum per annum till paid, and shall

shall upon Payment thereof deliver his, her, and their several and respective Debentures and Receipts to the said Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, to be cancelled, which he or they are hereby required to cancel accordingly, and the Interest payable by Virtue of such Debentures or Receipts shall cease from the Expiration of Twenty Days, to be accounted from the Day of Drawing the said Tickets or Pieces of Parchment, and from and after the Payment of the said Principal Sum of Two hundred thousand Pounds carrying an Interest of Five Pounds per centum per annum, then the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, shall, as often as the said Surplus or Exceeding in their Hands shall amount to the like Sum of Five thousand Pounds, cause the Numbers of all the Receipts or Debentures for the said Sum of One hundred thousand Pounds advanced and paid into Your Majesty's Treasury on the said Twenty fifth Day of March One thousand seven hundred and sixty three, which by this Act are to bear an Interest at the Rate of Five Pounds per centum per annum, to be Balloted for in like Manner, and with like Notices, as herein before

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is directed, and to cause so many of the said Tickets as shall amount to the Sum of Five thousand Pounds to be drawn, and the Person or Persons, the Number of whose Debenture or Receipt shall be so drawn, his, her, or their Executors, Administrators or Assigns, shall, within the Space of Twenty Days after such Drawing, be paid as aforesaid the Principal Sums to him, her, and them respectively due, with Interest at the Rate of Five Pounds per centum per annum till paid, and he, she, or they, whose Ticket or Tickets shall be so drawn, shall deliver to the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, his, her, and their several and respective Debentures or Receipts to be cancelled as aforesaid, and the Interest payable by Virtue of such Debentures, or Receipts, shall cease from the Expiration of Twenty Days, to be accounted from the Day of Drawing the said Tickets or Pieces of Parchment; and from and after the payment of the said principal Sum of One hundred thousand pounds, bearing an Interest at the Rate of Five Pounds per centum per annum, then the Vice Treasurer or Vice Treasurers, his or their

their Deputy or Deputies, shall, as often as the said Surplus or Exceeding in their Hands shall amount to the like Sum of Five thousand Pounds, cause the Numbers of all the Receipts or Debentures, which by this Act are to bear an Interest at the Rate of Four Pounds per centum per annum, to be Ballotted for in like Manner, and with like Notices, as herein before is directed, and to cause so many of the said Tickets as shall amount to the Sum of Five thousand Pounds to be drawn, and the Person or Persons (the Number of whose Debenture or Receipt shall be so drawn) his, her, or their Executors, Administrators or Assigns, shall, within the Space of Twenty Days after such Drawing, be paid as aforesaid the Principal Sums to him, her, and them respectively due, with Interest at the Rate of Four Pounds per centum per annum till paid, and he, she, or they, whose Ticket or Tickets shall be so drawn, shall deliver to the Vice Treasurer or Vice Treasurers, his, or their Deputy or Deputies, his, her, and their several and respective Debentures or Receipts, to be cancelled as aforesaid, and the Interest payable by Virtue of such Deben-

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tures or Receipts shall cease from the Expiration of Twenty Days, to be computed from the Day of drawing the said Tickets or Pieces of Parchment.

And be it further Enacted by the Authority aforesaid, That if any Part of the said Principal Sums, hereby provided for, shall be due and unpaid on the said Twenty fifth Day of December, which shall be in the Year of our Lord One thousand seven hundred and sixty five, the same shall be well and truly satisfied and paid unto the several and respective Persons, their Executors, Administrators, and Assigns, respectively, to whom the same shall be then due, together with such Interest for the same as shall be then due, at the Rates aforesaid, without any Deduction, Defalcation, or Abatement whatsoever.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of December One thousand seven hundred and sixty three, a separate and distinct Account shall be kept by the proper Officer of the Aids, Duties, and Taxes, granted by this Act, or any other Act of Parliament now in

in Force in this Kingdom, and appropriated to particular Uses; and that the Commissioners of His Majesty's Revenue shall return their Weekly Abstracts from the several Collectors to the Accomptant General, and that the Accomptant General shall return a separate Account of the several Duties and Taxes, so appropriated, to the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies; and that every Collector or Receiver of the said Duties and Taxes do take a separate Receipt for the same when paid into His Majesty's Treasury, which said Receipt the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, is and are hereby required to give accordingly.

CHAP.
III.

AN

ACT

FOR

Allowing further Time to Perſons in Offices or Employments to Qualify themſelves purſuant to an Act, intituled, *An Act to prevent the further Growth of Popery.*



DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN ACT FOR

Allowing further Time to Perſons in Offices or Employments to Qualify themſelves purſuant to an Act, intituled, *An Act to prevent the further Growth of Popery.*

CHAP. III.

CHAP. III.

WHEREAS ſeveral Perſons well affected to His Majeſty's Government, and the Church of Ireland as by Law Eſtabliſhed, may have, through Ignorance, neglected or been prevented by Sickneſs, or other unavoidable

CHAP. III.

Cauſes, from taking and ſubſcribing the Oaths, and making and ſubſcribing the Declaration, and from receiving the Sacrament of the Lord's Supper, according to the Directions of an Act made in this Kingdom, in the Second Year of the Reign of Her late Majeſty Queen Ann, Intituled, an Act to prevent the further Growth of Popery, and by their Inadvertency may have incurred great Penalties: Be it Enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons, who have incurred any Penalties and Incapacities in the ſaid Act, Intituled, an Act to prevent the further Growth of Popery, mentioned, by neglecting to Qualify themſelves according to the ſaid Act, ſhall be and are hereby Indemnified, Freed, and Diſcharged of and from all Incapacities, Diſabilities, Forfeitures, and Penalties, incurred by reaſon of ſuch Omiſſion or Neglect as aforeſaid, and that no Act or Acts done by them, or any of them, or by Authority derived from them or any of them, and not yet avoided, ſhall be queſtioned or avoided by reaſon of ſuch

Neglect

Neglect or Omission, but all such Acts shall be, and are hereby Declared and Enacted to be, as good and Effectual, as if all and every such Person and Persons had taken and subscribed the said Oaths, and received the said Sacrament, and made and subscribed the said Declaration, in manner as aforesaid; any Thing in the said Act to the contrary notwithstanding: Provided such Person or Persons do and shall take and subscribe the said Oaths, and receive the said Sacrament, and make, repeat, and subscribe the said Declaration, in such Manner and Form, and in such Place and Places, as are directed and appointed by the said Act to prevent the further Growth of Popery, on or before the First Day of August, which shall be in the Year of Our Lord One thousand seven hundred and sixty four. CHAP. III.

And whereas several of His Majesty's Subjects are often preferred in the Army residing in Great Britain, by which they are, by the Laws in Force in that Kingdom, obliged to Qualify themselves in some Part of Great Britain, by receiving the Sacrament, taking the Oaths, and subscribing the Declaration within the Time mentioned in such Laws: And

CHAP. III.

Whereas the Regiment or Regiments, in which such Officer or Officers have Commissions so granted to them, are often ordered into this Kingdom, and put upon this Establishment, by which a Doubt has arisen, whether such Officer or Officers, notwithstanding he or they having Qualified themselves in Great Britain for such Commissions according to the said Laws, are not by the Laws in Force in this Kingdom obliged to Qualify themselves after their Arrival here for such Commissions, according to an Act of Parliament passed in this Kingdom in the Second Year of the Reign of Her late Majesty Queen Ann, Intituled, an Act to prevent the Growth of Popery: Be it Enacted by the Authority aforesaid, That no Officer or Officers so preferred in Great Britain, who shall have Qualified him or themselves for such Commission or Commissions, according to and within the Time limited by the said Laws made in Great Britain, shall be obliged to Qualify him or themselves in this Kingdom for such Commission or Commissions so granted to him or them in such Regiment or Regiments, after their Arrival in this Kingdom, and being put upon this Establishment; any

Law, Usage, or Custom, to the contrary notwithstanding. CHAP. III.

Provided allways, That this Act, or any Thing herein contained, shall not extend to restore or intitle any Person or Persons to any Office or Employment already actually avoided by Judgment of any of His Majesty's Courts of Record, or already filled up by any other Person, but that such Office or Employment shall be and remain in the Person or Persons who is or are now intitled in Law to the same, as if this Act had been never made.

CHAP.
IV.

AN

ACT

FOR

Licenſing Hawkers and Pedlars, and for Encouragement of *Engliſh Proteſtant* Schools.



DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



A N

A C T

FOR

Licenſing Hawkers, and Pedlars, and for Encouragement of *Engliſh Proteſtant* Schools.

CHAP. IV.

CHAP. IV.

WHEREAS the continuing the Encouragement formerly to Engliſh Proteſtant Schools, will be of great Benefit to this Kingdom, and it is reaſonable that ſome Publick Fund

CHAP. IV.

should be applied and set apart for that purpose: Be it therefore Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty four, until the Twenty fourth Day of June One thousand seven hundred and sixty six, there shall be answered and paid unto Your Majesty, Your Heirs and Successors, by every Hawker, Pedlar, Petty-Chapman, or other trading Person, or Persons, going from Town to Town, or to other Men's Houses, and travelling either on Foot, or with Horse, Horses, or otherwise, in this Kingdom, (except as herein after mentioned) carrying to Sell, or exposing to Sale, any Goods, Wares, or Merchandizes, a Duty of Twenty Shillings by the Year, and that every Person so travelling with a Horse, Als, or Mule, or any other Beast bearing or drawing Burthen, shall pay the Sum of Twenty Shillings by the Year, from the Twenty fourth Day of June One thousand seven hundred and sixty four, to the Twenty fourth Day of June One thousand

ſaud ſeven hundzed and ſixty ſix, foz each Hozſe, Aſs, oz Mule, oz other Beaſt beating oz dzawing Burthen, he, oz ſhe, ſhall ſo travel with, ouer and aboue the firſt mentioned Duty of Twenty Shillings by the Yeat, which ſaid Rates and Duties ſhall be collected by ſuch Perſon and Perſons, and in ſuch Manner, and by ſuch Mays and Means, as the Duty payable foz Licenſes to keep Ale Houſes is raiſed and collected, by virtue of an Act made in this Kingdom, in the thirty third Yeat of the Reign of His late Majeſty King George the Second, intituled, an Act for better regulating the Collection of His Majeſty's Revenue, and for preventing of Frauds therein, and foz repealing an Act made the laſt Seſſion of Parliament, intituled, an Act for continuing and amending ſeveral Laws heretofore made relating to His Majeſty's Revenue, and for the more effectual preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, and the ſeveral Acts and Statutes which are mentioned in the ſaid Act, and continued thereby as fully to all Intents and Purpoſes, as if the Pzoviſions in the ſaid Act foz that purpoſe were particularly mentioned and expzeſſed, and Enacted again in the Body of this preſent Act.

CHAP. IV.

And be it further Enacted by the Authority aforesaid, That every Pedlar, Hawker, petty Chapman, and other trading Person or Persons so travelling as aforesaid, shall before the Twenty fourth Day of June One thousand seven hundred and sixty four, and so likewise in every Year, deliver, or cause to be delivered, to the Collector of Excise of the District where he, or she, shall Reside or Dwell, a Note in Writing under his or her Hand, or under the Hand of some Person by her or him authorized in that behalf, how and in what Manner, he, or she, intends to travel and trade, whether on Foot, or with one or more Horse, or Horses, Als, or Alles, Mule, or Mules, or any other Beast bearing or drawing Burthen, for his or her so travelling and trading, for which he or she shall thereupon pay, or cause to be paid, unto such Collector, the yearly Duty herein before directed to be payable for the same, and thereupon a License shall be granted unto him or her, so to travel or trade, by such Collector.

And be it further Enacted by the Authority aforesaid, That if any such Hawker,

ker, Pedlar, or petty Chapman, from and after the said Twenty fourth Day of June One thousand seven hundred and sixty four, be found trading as aforesaid, without or contrary to such Licence, such Person shall for each and every such Offence, forfeit the Sum of Five Pounds, one Moiety thereof to the Informer, and the other Moiety to the Incorporated Society in Dublin for promoting English Protestant Schools. CHAP. IV.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Collectors of the several Districts in this Kingdom respectively, and they are hereby respectively directed, appointed, and required, upon the Terms aforesaid, and upon the Receipt as aforesaid, to grant a Licence under their respective Hands to every Hawker, Pedlar, petty Chapman, or any other trading Person, for him or herself, with one or more Horses, Asses, Mules, or Beasts, which he, she, or they shall travel with, as the Case shall require, for which Licence there shall be taken by such Collectors for their own Use, One Shilling and no more, except such Hawker, Pedlar, or petty Chapman, shall travel with Horse, Ass, or Mule,

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or any other Beast bearing or drawing Burthen, and in that Case there shall be paid to such Collectors for their own Use, for such Licence Two Shillings and no more, over and above the Duties aforesaid, and that the said Collectors shall keep separate and distinct Accounts of the Duties hereby granted, and pay the Money arising thereby, into Your Majesty's Treasury, as other Money received by them for the Use of Your Majesty.

And be it further Enacted by the Authority aforesaid, That the said Collectors shall be accountable to Your Majesty for the Duties hereby granted, and shall be subject to the like Penalties and Forfeitures, for not rendering a true Account thereof, and paying the same in manner aforementioned, as they are, and stand liable unto, for not rendering a true Account of any Money received by them for the Use of Your Majesty.

And be it further Enacted by the Authority aforesaid, That the Monies arising from the said Duties hereby granted, shall from Time to Time be brought into the Receipt of Your Majesty's Exchequer, and shall from Time to Time, without

out any Fee or Deduction whatsoever, be paid by the Vice Treasurer, or Receiver General of this Kingdom, to the Incorporated Society in Dublin for promoting English Protestant Schools, or to their Treasurer for the Time being, for the Use of the said Incorporated Society.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall Forge or Counterfeit, or cause to be Forged or Counterfeited any Licente or Licences, for the Purpose aforesaid, or travel with such Forged or Counterfeited Licence or Licences, knowing the same to be Forged or Counterfeited, such Person shall Forfeit the Sum of Fifty Pounds, one Moiety thereof to the King, and the other Moiety to him who shall prosecute or sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of Your Majesty's Courts of Record, at the Four Courts in Dublin, in which no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed, and shall be Subject to such other Pains and Penalties, as

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may be inflicted on Persons for Forgery.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall be Sued, Molested, or Troubled for puting in Execution any of the Powers contained in this Act, or for doing any Matter or Thing pursuant thereto, such Person and Persons shall and may Plead the General Issue, and give the Special Matter in Evidence; and if the Plaintiff or Plaintiffs shall be nonsuited, or Judgment be given against him, or them, upon Demurrer or otherwise, or a Verdict pass for the Defendant or Defendants, or a Dismis upon a Civil Bill, such Defendant or Defendants, shall have his, her, or their Treble Costs, to be recovered by such Manner, as where by Law Costs are given to Defendants.

And be further Enacted by the Authority aforesaid, That if any Constable shall Refuse or Neglect, upon due Notice, or on his own View, to be Aiding and Assisting, in the Execution of this Act, being thereunto required, every such Constable being thereof Convicted by the Oath

Oath of one or more credible Witness or Witnesses before any Justice of the Peace for the County or Place where such Offence shall be committed, shall forfeit for each and every such Offence, contrary to this Act, the Sum of Forty Shillings, to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of such Justice of the Peace; one Moiety whereof to be paid to the said Incorporated Society, the other Moiety to the Informer, who shall prosecute for the same, rendering the Overplus thereof to the Owner, if any be.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons whatsoever, to seize and detain any such Hawker, Pedlar, Petty-Chapman, or other Trading Person or Persons as aforesaid, and also the Goods they shall be found Trading with, until such Time as he, she, or they, shall produce a Licence in that Behalf, if he, she, or they, have any: And if he, she, or they, shall be found Trading without such Licence, contrary to this Act, that then it shall and may be lawful to and for such Person or Persons, so Seizing as aforesaid, taking to his or

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their Assistance such Person or Persons as he, or they shall think fit, to carry the Person so seized, as also the said Goods, before some one of His Majesty's Justices of the Peace of the County or Place, or before the Collector of His Majesty's Revenue, for the District where such Offence or Offences shall be committed, which said Justice of the Peace and Collector, respectively, are hereby strictly required either upon the Confession of the Party offending, or due Proof of a Witness upon Oath, which they are hereby respectively impowered to Administer, that the Person so brought before him had so traded as aforesaid, unless such Licence shall be produced by such Offender before the said Justice or Collector, by Warrant under his Hand and Seal, to cause the Sum of Five Pounds to be forthwith levied by Distress and sale of the Offender or Offenders Goods, Wares, or Merchandizes, rendering the Overplus, (if any be) to the Owner or Owners thereof, after deducting the reasonable Charge for taking the said Distress, and out of the said Sale, to pay the Penalty and Forfeiture aforesaid.

Provided allways, and be it Enacted by the

the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to prohibit any Person from selling of any Acts of Parliament, Forms of Prayer, Proclamations, Gazettes, Almanacks, or other printed Papers; or any Fish, Fruit, or Victuals, nor to hinder any Person or Persons, who are the real Workers or Makers of any Goods or Wares within this Kingdom, or his, or their Wife or Wives, Apprentice or Apprentices, from carrying abroad, exposing to Sale, and selling any of the said Goods and Wares, of his, her, or their making in any publick Fairs, Markets, or elsewhere, nor any Tinker, Cooper, Glazier, Plumber, Harness-mender, or other Persons, usually Trading in mending of Kettles, Tubs, Household-goods, or Harness whatsoever, from going about, or carrying with him or them proper Materials for mending the same.

Provided allways, and be it Enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend to subject any Person or Persons, who shall carry raw and unmanufactured Wool, or Frizes, or Stockings made of Woollen Yarn, from one Part of the King-

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dom to the other, or expose the same to Sale, in any Fair, Market, or other Place in this Kingdom, to any of the Duties or Penalties herein before mentioned, so as such Person or Persons, shall not at the same Time carry or expose to Sale, any other Goods, Wares, or Merchandizes, except the said raw and unmanufactured Wool, and the said Frizes and Stockings made of Woollen Yarn.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend to prohibit or restrain any Person or Persons from selling or exposing to Sale, in any Place or Places whatsoever, any Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Ticken, plain, striped, chequered, painted or stained Linens, Buckrams or Canvas, so as such Person or Persons shall not at the same Time carry or expose to Sale any other Goods, Wares, or Merchandizes, except such Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Ticken, plain, striped, chequered, painted or stained Linens, Buckrams or Canvas as aforesaid.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any

any thing therein contained, shall not extend to subject any Person or Persons, who shall carry any Pots or Gridles, made of cast Iron Metal, from one Part of the Kingdom to another, or expose the same to Sale in any Fair, Market, or other Place in this Kingdom, to the Payment of any greater Duty than the Sum of Twenty Shillings by the Year in the whole; although such Person or Persons, shall or may trade or travel, with one or more Horse or Horses, or other Beast or Beasts drawing or bearing Burthen, so as such Person or Persons shall not at the same Time carry or expose to Sale, any other Goods, Wares or Merchandizes, except the said Pots and Gridles, made of cast Iron Metal. CHAP. IV.

Provided also, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of His Majesty's Revenue, or any three or more of them, for the time being, to order and direct to be paid out of the Monies raised by this Act, to the said Collectors, their Clerks, or any other Persons, such Sums of Money as they or any of them shall or may reasonably deserve for their Service, or shall or may

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have expended in the Execution of or in relation to this Act.

Provided also, and be it further Enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend or be construed to give any Power for Licensing any Hawker, Pedlar, or Petty-Chapman, to sell or expose to Sale any Wares, or Merchandizes, in any City, Borough, Town Corporate, or Market Town, within this Realm, any otherwise than he or she might have done before the making of this Act; any thing herein contained to the contrary, in any wise notwithstanding.

And for the further Encouragement of English Protestant Schools: Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for every Archbishop, Bishop, and to and for every Dean, Archdeacon, Dignitary, Prebendary, Rector, Vicar, and Ecclesiastical Person whatsoever, with the Consent of the Archbishop or Bishops of their respective Diocese, signified under the Hand and Seal of such Archbishop and Bishop respectively, and to and for every Person being seized of an Estate for Life in Possession of any Land with Immediate Remainder

over to his Iſſue in Tail by Deed or Deeds, reſpectively to grant in Poſſeſſion Abſolutely, or in Fee-Farm, in any Quantity of Land to them reſpectively belonging, not exceeding Two Acres Plantation Meaſure, to the ſaid Incorporated Society and their Succeſſors for ever: And that all Grants ſo to be made, ſhall be good and effectual againſt the Succeſſors, of every ſuch Archbiſhop, Biſhop, Dean, Archdeacon, Dignitary, Prebendary, Rector, Vicar, and other Eccleſiaſtical Perſons reſpectively; and againſt all Perſons claiming or to claim any Eſtate, Right, Title, or Intereſt in ſuch Land, by Virtue of or under any Limitation Remainder or Reverſion, expectant upon ſuch Eſtate for Life. CHAP. IV.

CHAP. V.

AN

ACT

FOR

Diſcharging without Fees Perſons who ſhall be acquitted of Offences for which they are or ſhall be indicted, and for making a Compenſation to Sheriffs, Goalers, Clerks of the Crown, and Clerks of the Peace, for ſuch Fees.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

AN ACT

FOR

Discharging without Fees Perſons who ſhall be acquitted of Offences for which they are or ſhall be indicted, and for making a Compenſation to Sheriffs, Gaolers, Clerks of the Crown, and Clerks of the Peace, for ſuch Fees.



DUBLIN:

Printed by Boulter Grierson, Printer to the King's Moſt Excellent Majeſty. MDCCXXV.

AN

ACT

FOR

Diſcharging without Fees Perſons who ſhall be acquitted of Offences for which they are or ſhall be indicted, and for making a Compenſation to Sheriffs, Goalers, Clerks of the Crown, and Clerks of the Peace, for ſuch Fees.

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CHAP. V.

WHEREAS ſeveral Perſons who are acquitted of the Crimes for which they are indicted, are from Time to Time continued in the ſeveral Goals of this Kingdom, for not paying ſuch Fees as are due from them to the Sheriff, Goaler, Clerk of the

CHAP. V.

Crown, Clerk of the Peace, his or their Deputies, which Fees many of them are unable to discharge: And whereas such Persons by continuing in Goal, not only contract Habits of Idleness, but also from the bad Examples they meet with in said Goals, frequently become dissolute and abandoned: For Remedy whereof, Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present parliament assembled, and by the Authority of the same, That from and after the Twenty fifth Day of March which shall be in the Year of Our Lord One thousand seven hundred and sixty four, it shall and may be lawful to and for the several Grand Juries of the several Counties, and Counties of Cities, and Counties of Towns in this Kingdom, and at the Quarter Sessions of the County of Dublin, and County of the City of Dublin, if they shall think proper to present on the respective County, County of a City, or County of a Town, the Customary and Legal Fees due from any person or persons against whom any Bill of Indictment is found, or shall be found, and who shall be acquitted at the

the ſaid ſeveral Aſſizes, and Quarter Seſſions, of the Crime or Crimes charged in ſuch Indictment. CHAP. V.

Provided alſo, and be it Enacted by the Authority aforeſaid, That no ſuch Preſentment ſhall be made by ſaid ſeveral Grand Juries, for the Fees of any Perſon acquitted, unleſs the Petty Jury before whom ſaid Perſon ſhall be tryed, ſhall certify under the Hand of their Foreman to the Grand Jury aforeſaid, at the Time they ſhall return their Verdict to the Court, that ſuch is a proper Object of the Benefit of this Law, and alſo unleſs ſaid Grand Juries be reſpectively informed of the Particulars and Whole Account of ſuch Fee or Fees, ſo to be preſented by Affidavit, made by the Clerk of the Crown of ſuch County, or County of a City, and in the County and County of the City of Dublin by the Clerk of the Peace of ſaid County, or County of City, acting Deputy or Deputies, that then it may be lawful to and for the ſaid Grand Juries to preſent ſaid Fees as aforeſaid, which Preſentments the Judges of Aſſize, and Juſtices of the Peace of the County and County of the City of Dublin, may conſirm if

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they shall think proper, and shall apprehend that the persons acquitted are proper Objects of the Benefit of this Law, and that immediately after said Presentment shall be confirmed by the Judges or Justices of the Peace respectively, such Prisoner or Prisoners, in whose Favour they shall have been made, shall forthwith be discharged, and that no Traverse to such Presentments shall be received by the Courts.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March, which shall be in the Year of Our Lord One thousand seven hundred and sixty four, That no Fee or Fees, Sum or Sums of Money, shall be demanded or received from any Person or Persons who is or shall be indicted, and who shall be acquitted of the Crime or Crimes charged in such Indictments, at the General Quarter Sessions of the Peace to be held for any County, or County of City, or County of a Town throughout this Kingdom, the County of Dublin, and County of the City of Dublin excepted as aforesaid, but such Prisoner or Prisoners forthwith on his or their Acquittal shall

ſhall be diſcharged without Fees; and if any Sheriff, Goaler, or Clerk of the Peace, his or their Deputy, or Deputies, or any other Perſon whatſoever, ſhall after the ſaid Twenty fifth Day of March, which ſhall be in the Year of Our Lord One thouſand ſeven hundred and ſixty four, receive, or take from any ſuch Perſon who ſhall be acquitted as aforeſaid, or from any other Perſon on his or their behalf, any Fee or Fees, or any Sum or Sums of Money, as for or under the Pretence of Fees, or if any Goaler ſhall upon any other Occaſion whatſoever extort from any Priſoner or Priſoners under his Care, any Fee or Fees, Sum or Sums of Money, other than ſuch as are warranted by Law, every ſuch Perſon ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of Twenty Pounds, the one Moiety thereof to Our Sovereign Lord the King, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall or will ſue for the ſame in any of his Majeſty's Four Courts in Dublin, by Bill, Plaint, or Information, in which no Eſſoin, Wager of Law, or Protection, or more than one Imparlance ſhall be allowed: Provided allways, that the Juſtices at the General Quarter Seſ-

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sions of the Peace for said County, or County of a City, or County of a Town, shall have full and ample Power by Publick Judgment delivered from the Bench, to deprive of the Advantage of this Law, any Person, or Persons, who shall have been tryed and acquited before them, and whom they shall think unworthy of this Benefit.

And in order to Reimburse and Satisfie the said several Officers for such Fees as they would have been intitled to receive from such Persons so discharged as aforesaid; Be it Enacted by the Authority aforesaid, That it shall and may be lawful from and after the said Twenty fifth Day of March, which shall be in the Year of Our Lord One thousand seven hundred and sixty four, for the several Grand Juries of the several Counties, and Counties of Cities, and Counties of Towns of this Kingdom, at the Assizes held for the several Counties, and Counties of Cities, and Counties of Towns immediately next following the General Quarter Sessions of the Peace, at which such Tryals shall be had, to present a Sum not exceeding the Sum of Ten Pounds, if it be a County at Large; nor

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nor exceeding the Sum of Five Pounds, if it be a County of a City or County of Town, to be proportioned by the respective Grand Juries of said Counties, to the Number of Persons discharged as aforesaid at the Sessions without Fees, of which the said Grand Juries are to be certified by Affidavit made by the respective Clerk of the Peace of said County at Large, County of a City, or County of a Town, and when raised to be divided among the several Officers herein before mentioned, in the Proportion in which they heretofore stood intitled to such Fees.

Provided allways, and be it Enacted by the Authority aforesaid, That this Act, or any Thing contained herein, shall not extend to, or be construed in such Manner as to deprive the Judges or Justices of the Peace of any Power that they have by the Laws now in being, of committing or keeping in confinement any Person who shall be so confined as aforesaid.

Provided also, and be it further Enacted by the Authority aforesaid, That it shall not be Lawful for any Grand Jury, by virtue of this Act, or any thing herein

CHAP. V.

contained, to raiſe, or preſent to be raiſed, at any one Aſſizes for the purpoſes aforeſaid, any Sum of Money, exceeding in a County at Large, the Sum of Twenty Pounds, nor in a County of a City, or County of a Town, Ten Pounds, excepting only the County of Cork, the Grand Jury of which may raiſe, or preſent to be raiſed for the purpoſes herein mentioned, any Sum or Sums of Money, not exceeding in the whole the Sum of Thirty Pounds at any one Aſſizes; any Thing herein contained to the contrary notwithſtanding.

CHAP. VI.

AN

ACT

FOR

Continuing and amending an Act, *intituled*, an Act for making the River *Lagan* Navigable and opening a Paſſage by Water between *Loughneagh* and the Town of *Belfaſt* in the County of *Antrim*.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

AN

ACT

FOR

Continuing and Amending an Act, *intituled*, an Act for making the River *Lagan* Navigable, and opening a Paſſage by Water between *Loughneagh* and the Town of *Belfaſt* in the County of *Antrim*.

CHAP. VI.

CHAP. VI.

WHEREAS by an Act paſſed in the Twenty ſeventh Year of the Reign of His late Majeſty King George the Second of Glorious Memory, certain Duties, Rates, and Impoſitions,

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positions were granted to His said late Majesty King George the Second, for the Use of the Corporation for Promoting and Carrying on an Inland Navigation in Ireland, to be by them laid out and expended in making the River Lagan Navigable, and opening a Passage by Water between Loughneagh and the Town of Belfast in the County of Antrim: And whereas the said Act is to expire on the Twenty fifth Day of December One thousand seven hundred and sixty four: And whereas a great Number of Persons liable by the said Act, to the Payment of the said Duties (that is to say) the Inhabitants of part of the Gaugers-Walks of Belfast, Lisburne, Moyra and Hillsborough, within the District of Lisburne; are willing and desirous that the same shall be continued in order to carry on and accomplish the said Navigation; Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, that the several and respective Duties and Impositions, in and by the said Act granted to His Majesty, or chargeable in the Manner therein mentioned, from the Twenty

Twenty fifth Day of December One thou- CHAP. VI.
sand seven hundred and fifty three, to the Twenty fifth Day of December One thousand seven hundred and sixty four, be further granted, continued, raised, collected, levyed, and paid unto His Majesty, His Heirs and Successors, for Nine Years from the Twenty fifth Day of December One thousand seven hundred and sixty four, to the Twenty fifth Day of December One thousand seven hundred and seventy three, and no longer, in and throughout such Parts of the Gaugers-Walks of Belfast, Lisburne, Moyra and Hillsborough, within the said District of Lisburne, as are not Part and Parcel of the Mannors of Hillsborough, Kilwarlin, Castlereagh, and Slatneals; the same to be raised and applyed to and for the Use of the Corporation for promoting and carrying on an Inland Navigation in Ireland, in order to accomplish the said Navigation, and to be paid in the same Manner, and with the like Powers, Provisoes, and Clauses, in the said Act contained, except such Alterations and Amendments as are hereafter mentioned.

And be it Enacted by the Authority aforesaid, That in case any Beer, Ale, A-

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quavitæ, Strong Waters, or Spirits, for which the said Additional Duties or Impositions shall or ought to be paid by Virtue of this Act, shall within Twelve Months after the Payment of the said Additional Duties be exported out of the Kingdom, or carried out of the said Parts of the said Walks, in the District of Lifburne, to any Part of this Kingdom, the Collector, who shall have received such Additional Duties, shall repay the same to the common Brewer, Victualler, or Distiller, of such Beer, Ale, or Spirits; provided allways, that before such Repayment be made, the said Brewer, Victualler, or Distiller, do produce to the Collector a Certificate under the Hand of the Gauger of the Walk, in which such Brewer, Victualler, or Distiller resides; that he the said Gauger, had previous Notice of such Beer, Ale, and Spirits, being to be exported, or sent out of the Walk, expressing the Time of his receiving such Notice and Quantity so to be exported or sent, and the Port or Place to which the said Beer, Ale, and Spirits, are to be exported or sent, and the Place of Abode and Name of the Person to whom, and also the Time when, they were intended to be so exported or sent,

and

and alſo make Oath before the Collector who is hereby impowered to Adminiſter the ſaid Oath, that the ſaid Beer, Ale, and Spirits, have been really and bona fide exported, or carried out of the ſaid Walk, conformable to ſuch Notice, and that he verily believes that they have not been, and are nor intended to be, brought back into any of the ſaid Walks for Conſumption. CHAP. VI.

And be it Enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken as a publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

And be it further Enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for Nine Years, from the Twenty fifth Day of December One Thouſand ſeven hundred and ſixty four, to the Twenty fifth Day of December One thouſand ſeven hundred and ſeventy three, and no longer.

Provided allways, and be it Enacted by the Authority aforeſaid, That if at any

CHAP. VI.

Time during the Continuance of this Act, the Corporation for carrying on an Inland Navigation in Ireland should have paid off all Sums of Money, which they may have borrowed for the better carrying on the said Navigation, and should be certified that the said Navigation between Belfast and Loughneagh is compleated and finished, then and in that Case, upon Notice given by the said Corporation, to the Collector of Lisburne, that the said Navigation is so compleated, that from thenceforth the said additional Rates, Duties and Impositions shall cease and determine; any Thing in this Act to the contrary notwithstanding.

CHAP. VII.

AN

ACT

FOR

Regulating the Proceedings of Grand Juries in the Preparing and Forming of Preſentments for the levying of Money.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

CHAP.
VII.

ACT

FOR

Declaring the Proceedings of Grand Juries in the Preparing and Forming Presentments for the Levying Money.



DUBLIN:

AN

ACT

FOR

Regulating the Proceedings of Grand Juries, in the Preparing and Forming of Preſentments for the levying of Money.

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CHAP. VII.

WHEREAS Preſentments of Grand Juries for raiſing publick Money are often confirmed for want of due Notice, that ſuch Preſentments were intended to be made and applied for: For Remedy

CHAP. VII.

Whereof, Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty four no Presentment, except Presentments for Bread for Prisoners, or for the Repairing or Strengthening Goals, and for Bolts or Shackles, Stocks, Whipping Posts, Ducking Stools, and Pillories, and also excepting Presentments for conveying of Persons accused for any Treason or Felony, to the County Goal, pursuant to an Act of Parliament made in this Kingdom, in the Seventeenth Year of his late Majesty King George the Second, shall be confirmed, unless Seven Days Notice (distinguishing therein the Barony to be Charged by such Presentment if to be a Barony Charge at least) thereof shall be given to the Treasurer of the County previous to the Assizes, in which Application shall be made for such Presentment, and which Notice shall be given in Writing and posted up by the said Treasurer, or in Case of his being disabled by Sickness or Absence, by such Person as he shall appoint

point to perform the same on the Door of the County Court-house, Four Days before the said Assizes, and in the grand Jury-room, on the First Day of the said Assizes, of all which the said Treasurer, or such Person as he shall in Case of Sickness or Absence as aforesaid appoint, shall make an Affidavit before one of the Judges of Assize before any Presentment, (except as before excepted) shall be confirmed.

And be it further Enacted by the Authority aforesaid, That the said Treasurer of the County, or in case of his Sickness or Absence such Person as he shall appoint as aforesaid, shall, and he is hereby required to, deliver a fair and true Copy in Writing of all such Notices to the Clerk of the Crown, in case of his Absence to his Deputy on the First Day of the Assizes, who, or his Deputy, as the Case shall happen, is hereby required to read the same publickly in open Court, on the Second Day of the Assizes before any other Business is proceeded on, and shall at the Request of any Justice of the Peace for the said County during the Assizes deliver unto such Justice, when he shall require the same, or with all con-

CHAP. VII.

venient Speed afterwards, a fair and true List in Writing of all such Notices, such Justice paying unto him a Britiſh Sixpence and no more for his Trouble.

And be it further Enacted by the Authority aforelaid, That in caſe ſuch Treaſurer, or, if he ſhall be ſick, ſuch Perſon as he ſhall appoint, ſhall omit or neglect to do or perform what is herein before required of him or either of them, then the ſaid Treaſurer ſhall for every ſuch Offence forfeit the Sum of Ten Pounds, and in caſe the Clerk of the Crown, or his Deputy in caſe of his Abſence, upon receiving from the Treaſurer the ſaid Liſt of all ſuch Notices as aforelaid, ſhall omit or neglect to do and perform what is herein before required of him, or either of them; then that the ſaid Clerk of the Crown ſhall for every ſuch Offence forfeit the like Sum of Ten Pounds.

And be it further Enacted by the Authority aforelaid, That the ſaid Forfeitures ſhall be recovered in a ſummary way by Civil Bill by any Perſon or Perſons who ſhall firſt ſue for the ſame at

the

the next General Aſſizes for the ſaid County.

CHAP. VII.

Provided allways, that nothing herein contained ſhall extend to the County of the City of Dublin, or to the County of Dublin.

CHAP. VIII.

AN

ACT

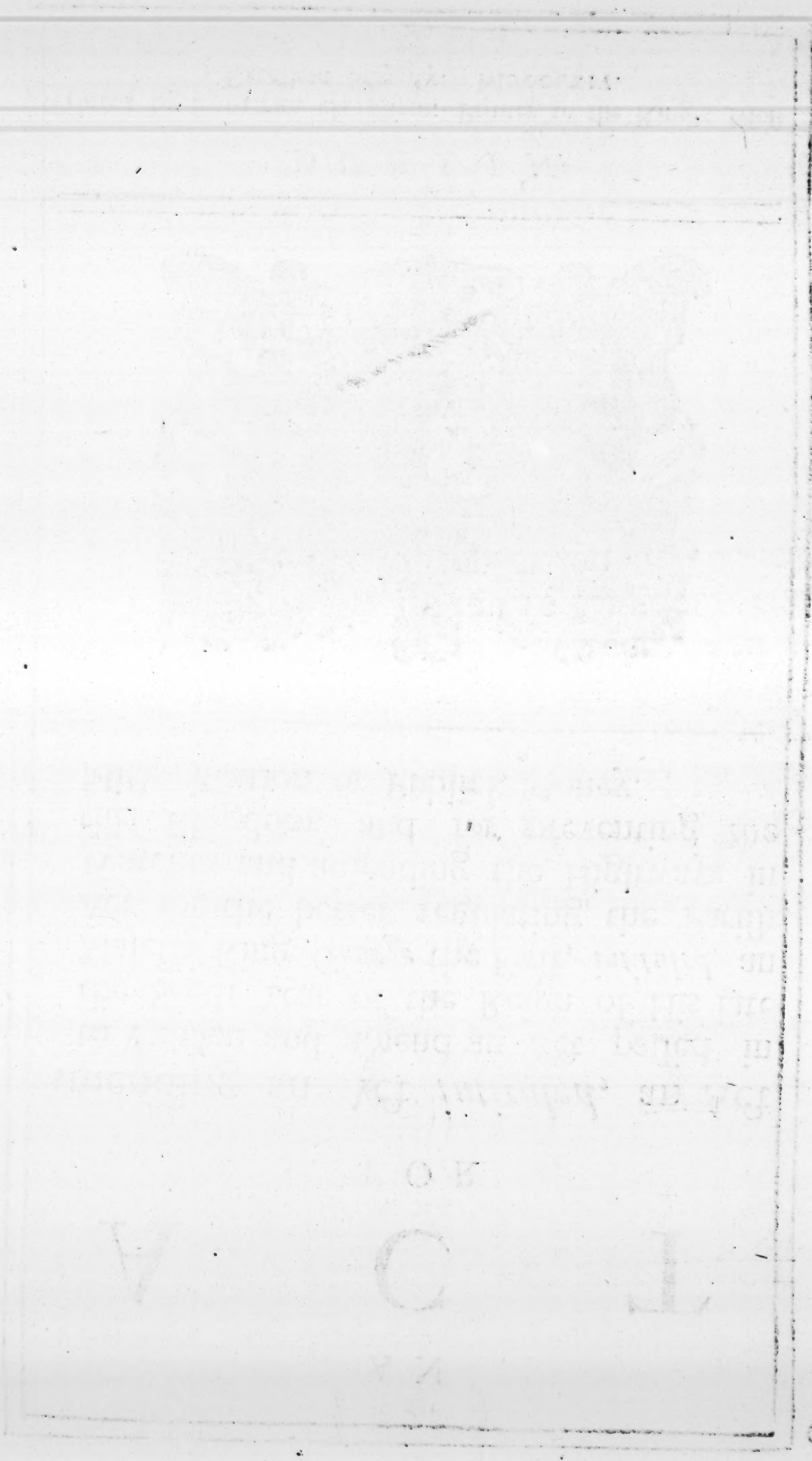
FOR

Amending an Act *intituled*, an Act to explain and amend an Act paſſed in the Sixth Year of the Reign of His late Majeſty King *George* the Firſt, *intituled*, an Act for the better regulating the Pariſh Watches and amending the Highways in this Kingdom, and for preventing the Miſapplication of Publick Money.



DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN

ACT

FOR

Amending an Act *intituled*, an Act to explain and ammend an Act paſſed in the Sixth Year of the Reign of His late Majeſty King *George* the Firſt, *intituled*, an Act for the better regulating the Pariſh Watches, and amending the Highways in this Kingdom, and for preventing the Miſapplication of Publick Money.

CHAP. VIII.

CHAP. VIII.

WHEREAS Proviſion has been made by the ſaid Act for making Roads from one Market Town to another in direct Lines: And whereas the ſaid

CHAP. VIII.

Act does not extend to the County of Dublin, as there are no Assizes held for the said County; And whereas it is reasonable that the said County should have the Benefit of the said Provisions, as well as any other County: For which Purpose, Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of May One thousand seven hundred and sixty four, it shall and may be lawful to and for the Grand Jury of the County of Dublin, in Hillary and Trinity Terms in every Year, to make such Presentments for New Roads, as the Grand Juries of other Counties are impowered to do by the said Act, subject nevertheless to such Traverses as in the said Act is mentioned.

And be it Enacted by the Authority aforesaid, That from and after the First Day of May One thousand seven hundred and sixty four, it shall and may be lawful to and for the Grand Jury of any County at the Assizes, and for the Grand Jury of the County of Dublin in the said Terms,

Terms, to present any Old Road, or any Part thereof, to be stopped where any New Road has been, or shall be made in Lieu of such Old Road in pursuance of the said Act, or of this Act. CHAP. VIII.

Provided allways, That if any person or persons, shall think him, her, or themselves aggrieved by stopping up such Old Road, it shall be lawful for such person to traverse such Presentment at the next Assizes, or at the Second Assizes after, or if in the County of Dublin, in the next Term or the Second Term after such Presentment shall be made, and such Traverse shall be tried by a Jury; and in case such Presentiment shall not be traversed, or, if traversed, a Verdict shall be found for the Presentment, such Presentment shall be confirmed.

CHAP. IX.

AN

ACT

FOR

Explaining an Act, *intituled*, an Act for better ſupplying the City of *Dublin* with Corn and Flour; and alſo an Act, *intituled*, an Act for amending an Act, *intituled*, an Act for better ſupplying the City of *Dublin* with Corn and Flour.



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AN

ACT

FOR

Explaining an Act, *intituled*, an Act for better ſupplying the City of *Dublin* with Corn and Flour; and alſo an Act, *intituled*, an Act for amending an Act, *intituled*, an Act for better ſupplying the City of *Dublin* with Corn and Flour.

CHAP. IX.

CHAP. IX.

WHEREAS ſome Doubts has ariſen upon the Conſtruction of the ſaid Acts, whether any Perſon can be intitled to a Premium for bringing Corn or Flour

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to the City of Dublin, where the Place from whence the same is brought is not full Five Miles distant from the City of Dublin, over and above Ten Miles; and also whether Pearl Barley be intitled to any Premium under the said Acts: For the removing of which Doubts, be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the First Day of June One thousand seven hundred and sixty four, that every Person intitled to receive any of the Premiums given by the said Acts, shall receive the same proportionably according to the Number of Miles the Place from whence the Corn or Flour shall be brought shall be distant from the City of Dublin over and above Ten Miles, and that the Persons who bring Pearl Barley to the City of Dublin, shall be intitled to the like Premium, as for Mault, upon performing the several Requisites in the said Act mentioned.

And be it further Enacted by the Authority aforesaid, That from and after the said First Day of June One thousand seven

seven hundred and sixty four, no Person shall be intitled to receive any Premium granted by this or the former Acts for bringing of Corn, Flour, Malt, or Pearl Barley to Dublin, unless the Owner thereof, or some Person employed by him or her to take care of the same where it grew or was made, do, before the same is brought to Dublin, make such Affidavit before a Justice of the Peace of the County from whence it is to be brought, and obtain such Certificate as is required by the former Acts, and shall swear before such Justice, that neither he, nor any other Person, to his Belief, has received any Premium for the same, or made any Affidavit but the present, to intitle him to a Premium to the same.

CHAP. IX.

AN

CHAP. X.

AN

ACT

FOR

The more effectual carrying into Execution an Act, *intituled*, an Act for the Relief of the Creditors of the Bank lately kept by *John Willcocks* and *John Dawſon*, and of the Creditors of the Bank lately kept by *Joſeph Fade* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*, *Iſachar Willcocks* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*; And for raiſing out of the Eſtates Real and Perſonal of *Richard Brewer*, late the Caſh-Keeper of the ſaid *John Willcocks* and *John Dawſon*, the Sum due by the ſaid *Richard Brewer* to the ſaid *John Willcocks* and *John Dawſon*.

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AN

ACT

FOR

The more effectual carrying into Execution an Act, *intituled*, an act for the Relief of the Creditors of the Bank lately kept by *John Willcocks* and *John Dawſon*, and of the Creditors of the Bank lately kept by *Joſeph Fade* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*, *Iſachar Willcocks* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*; And for raiſing out of the Eſtates Real and Perſonal of *Richard Brewer*, late the Caſh-Keeper of the ſaid *John Willcocks* and *John Dawſon*, the Sum due by the ſaid *Richard Brewer* to the ſaid *John Willcocks* and *John Dawſon*.

CHAP. X.

WHEREAS in and by an Act of Parliament made in this Kingdom in the Twenty ninth Year of the Reign of His late Majeſty King George the Second, intitu-

CHAP. X.

led, an Act for the Relief of the Creditors of the Bank lately kept by *John Willcocks* and *John Dawſon*, and of the Creditors of the Bank lately kept by *Joſeph Fade* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*, *Iſachar Willcocks* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*, and for raiſing out of the Eſtates Real and Perſonal of *Richard Brewer*, late the Caſh-keeper of the ſaid *John Willcocks* and *John Dawſon*, the Sum due by the ſaid *Richard Brewer* to the ſaid *John Willcocks* and *John Dawſon*; Michael Chamberlain, Joſeph Green, Thomas Read, and Matthew Weld, Eſquires, Charles Howiſon, Robert Montgomery, and Ellis Priee, Merchants, or any three or more of them, or of the Survivors of them, were thereby appointed Commiſſioners to hear and determine the ſeveral Claims, and to ſettle and adjuſt the ſeveral Accounts relating thereto, or concerning the ſame, and to make ſuch Orders, Adjudications, and Determinations, as they were therein after Authorized and Impowered to make, concerning the Eſtates veſted in the Aſſignees therein after appointed: And whereas in and by the ſaid Act, it was amongſt other Things Enacted, that the ſaid John Willcocks and John Dawſon, ſhould reſpectively on or before the Firſt Day of December

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cember One thouſand ſeven hundred and fifty ſix, deliver in upon Oath, or being of the People called Quakers, upon Solemn Affirmation, to the ſaid Commiſſioners, or any Three or more of them, a true, exact, and particular Account of their reſpective Eſtates, Real and Perſonal thereby veſted, or intended to be veſted, in the ſaid Aſſignees, which they the ſaid John Willcocks and John Dawſon, or either of them, or any Perſon or Perſons in truſt for them, or either of them, were or was ſeized, poſſeſſed of, or intereſted in, or intitled unto, on the Third Day of March One thouſand ſeven hundred and fifty five, or at any Time ſince, without any wilful Concealment or Omiſſion, the neceſſary wearing Apparel of the ſaid John Willcocks and John Dawſon only excepted, and that the ſaid John Willcocks and John Dawſon ſhould reſpectively, upon Notice to them reſpectively given by the ſaid Commiſſioners, or any Three or more of them, within Ten Days after ſuch Notice ſerved, deliver unto the ſaid Commiſſioners, or any Three or more of them, all Mortgages, Bills, Bonds, Notes, and Securities, which belonged to the ſaid Banks, or any or either of them, or to the ſaid John Willcocks and John Dawſon in their reſpective Rights,

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and all Books of Accounts in their Custody or Power respectively, and that it should be lawful to and for the said Commissioners, or any Three or more of them, to Examine from Time to Time, and as often as they should see Occasion, the said John Willcocks and John Dawson upon Oath, or solemn Affirmation, concerning the respective Estates, Real and Personal, by the said Act vested, or intended to be vested in the said Assignees, and that upon the said John Willcocks and John Dawson, respectively delivering or giving in such Account as aforesaid to the Satisfaction of the said Commissioners, or any Three or more of them, and upon their respectively delivering, or causing to be delivered to the said Commissioners, or any Three or more of them, all their respective Estates and Effects, or so much thereof as at the Times of such Examination should be in their respective Custody or Power, to be applied to the Uses of the said Act of Parliament, and upon their respectively delivering in, or causing to be delivered to the said Commissioners, or any Three or more of them, all the respective Title Deeds, and Securities for Money which at the Time of such Examination should be in their respective Custody or Power, and upon their making respec-

respectively a true and faithful Discovery to whom, upon what Account, and for what Consideration the Residue of the said respective Estates and Effects had been disposed of, then, and in such Case, it should and might be lawful to and for the said Commissioners, or any Three or more of them to certifie under their Hands and Seals, the Conformity to the Directions of the said Act of Parliament, and such of them, the said John Willcocks and John Dawson, who should so conform as aforesaid, and that such of them, the said John Willcocks and John Dawson, who should obtain such Certificate of such Conformity as aforesaid, and all such Estate as the Person or Persons obtaining such Certificate, should any way have, Purchase, or acquire after the obtaining such Certificate, should be absolutely freed and discharged of and from all Sum and Sums of Money due and owing to any Person whatsoever: And whereas in and by the said Act of Parliament, all and singular the Manors, Lands, Tenements, and Hereditaments, Rents, Reversions, Remainders, Uses, and Trusts, which the said Joseph Fade was at the Time of his Death seized of, or intitled unto in Fee Simple, Fee Tail, or for Life or Lives, either in

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Law, or Equity, and all Debts which had not theretofore been bona fide paid or discharged, and were then due to him, or which he was intitled unto, and likewise all other the Estate, Real and Personal, which the said Joseph Fade died seized, possessed of, or interested in, or intitled unto, except such Sum or Sums of Money as had before the Time of the Passing the said Act been really and bona fide applied to the Payment of his Debts or Legacies, and such Part of his personal Estate as had been bona fide, and for valuable Consideration sold, and also all the Manors, Lands, Tenements, and Hereditaments, Rents, Reversions, Remainders, Uses, and Trusts, which the said John Willcocks and John Dawson, or either of them, were upon the Third Day of March One thousand seven Hundred and fifty five, or since seized of, or intitled unto, in Fee Simple, or Fee Tail, or for Life or Lives, either in Law or Equity, and also all Debts which had not been theretofore really and bona fide paid or discharged, and were then due to them, or either of them, as Partners with each other, or to the said John Willcocks, as Partner with the said Joseph Fade and Isachar Willcocks, or to the said John Willcocks, as

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as partner with the said Joseph Fadé, and otherwise, all other the Estate, Real and personal, of which the said John Willcocks and John Dawson, or either of them, was or were seized, possessed of, interested in, or intitled unto, on the said Third Day of March One thousand seven hundred and fifty five, or afterwards, except such Sum or Sums of Money as had before the passing of the said Act been really and bona fide applied to the payment of their, or either of their Debts, or expended in Suits or other Business relative to the said Estates of the said John Willcocks and John Dawson, or in the Costs or Expences of passing the said Act, or in the necessary Charges of their Cloathing, Maintenance, and House-keeping, and also except such part of their or either of their personal Estates as had been before the passing of the said Act bona fide, and for valuable Consideration sold; and also all the Manors, Lands, Tenements, and Hereditaments, Rents, Revertions, Remainders, Ules, and Trusts, which the said Richard Brewer was seized, possessed of, interested in, or intitled unto, on the Twelfth Day of February One thousand seven hundred and fifty five, or afterwards, except such Sum and Sums of Money as had been before

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the Paſſing of the ſaid Act of Parliament really and bona fide applied to ſthe Payment of his Debts, or expended in the neceſſary Charges of the Cloathing and Maintenance of the ſaid Richard Brewer, his Wife and Children, or in Suits relative to the ſaid Eſtates of the ſaid Richard Brewer, or Defence of his Perſon or Eſtate, and except ſuch Part of his Perſonal Eſtate as before the paſſing of the ſaid Act had been bona fide, and for a valuable Conſideration ſold, were veſted in the Seizen and Poſſeſſion of George Rochfort and Theobald Wolfe Eſquires, and Robert Clibborn Merchant, being Aſſignees appointed for the Intereſts and Purpoſes in the ſaid Act of Parliament mentioned, their Heirs, Executors, and Adminiſtrators, in ſuch Manner as is in the ſaid Act of Parliament mentioned, which ſaid Aſſignees, or Two of them, were thereby authorized to ſell and diſpoſe of the ſaid Real and Perſonal Eſtates, or ſo much thereof as ſhould be neceſſary for the ſeveral Purpoſes therein after mentioned, and to call in, ſue for, recover, or compound, the ſaid Debts due to the ſaid Joſeph Fade, John Willcocks, John Dawſon, and Richard Brewer, or to any or either of them in truſt, to apply the Money ariſing thereby in

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luth Manner as is therein after directed: And whereas the said John Willcocks and John Dawson, being of the People called Quakers, did upon their Solemn Affirmation respectively deliver into the said Commissioners upon the First Day of December One thousand seven hundred and fifty six, a true, exact, and particular Account of their said respective Real and Personal Estates, and did, pursuant to the Directions of the said Act, deliver unto the said Commissioners all their respective Real and Personal Estates and Effects, which then were in their Custody or Power, to the Satisfaction of the said Commissioners, to be applied to the Uses of the said Act of Parliament, and did also deliver unto the said Commissioners all the respective Title Deeds, and Securities for Money, which were in their, or either of their Custody or Power, and did make a true and faithful Discovery to whom, upon what Account, or for what Consideration, the Residue of their said respective Estates and Effects had been disposed of; and the said John Willcocks and John Dawson respectively conformed to the Directions of the said Act of Parliament, whereupon the said Commissioners did on the Twenty ninth Day of October in the Year One thousand se-

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ven hundred and ſixty certifie, under their Hands and Seals, the Conformity of the ſaid John Willcocks and John Dawſon, to the Directions of the ſaid Act of Parliament: And whereas the ſaid Richard Brewer, did upon his Oath deliver into the ſaid Commiſſioners, before the Firſt Day of December One thouſand ſeven hundred and fifty ſix, an Account by him ſworn before the ſaid Commiſſioners, to be a true, exact, and particular Account of his real and perſonal Eſtate: And whereas the ſaid John Willcocks and John Dawſon did purſuant to the ſaid Act of Parliament, on behalf of themſelves and their Creditors, before the Firſt Day of December One thouſand ſeven hundred and fifty ſix, before the ſaid Commiſſioners, exhibit a Claim againſt the ſaid Richard Brewer for the Sums due to them by the ſaid Richard Brewer, which Claim the ſaid Commiſſioners did, purſuant to the Directions of the ſaid Act, receive, examine, and determine before the Firſt Day of January One thouſand ſeven hundred and fifty eight, and did thereupon adjudge, decree, and determine that the ſaid Richard Brewer was indebted to the ſaid John Willcocks and John Dawſon, on behalf of themſelves and their Creditors, in the Sum of Sixty ſe-

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ven thouſand one hundred and One Pounds ſixteen Shillings and ſeven Pence Half-penny: And whereas the ſaid Commiſſioners, before the Firſt Day of January One thouſand ſeven hundred and fifty eight, did examine and determine, purſuant to the Directions of the ſaid Act of Parliament, all ſuch Claims and Demands upon, or out of all or any of the ſaid real and perſonal Eſtates, veſted as aforeſaid in the ſaid Aſſignees, which had been entered and exhibited and proceeded upon purſuant to the ſaid Act of Parliament: And whereas the Eſtates and Effects real and perſonal of the ſaid Richard Brewer, mentioned and ſpecified in and by the ſaid Account returned by him upon Oath to the ſaid Commiſſioners, is not near ſufficient to pay and ſatisfie to the Creditors of the ſaid Richard Brewer, the Sums of Money adjuged to them by the ſaid Commiſſioners upon their ſeveral and reſpective Claims, and alſo the ſaid Sum of ſixty ſeven thouſand One hundred and One Pounds ſixteen Shillings and ſeven pence half-penny, adjudged to be due by the ſaid Richard Brewer to the ſaid John Willcocks and John Dawſon: And whereas the ſaid Aſſignees did, in Part, execute the ſeveral Truſts by the ſaid Act of Parliament repoſed

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in them, and have ſold and diſpoſed of ſeveral parts of the ſaid real and perſonal Eſtates, and have called in, ſued for, recovered and compounded ſeveral of the ſaid Debts which were due to the ſaid Joſeph Fade, John Willcocks, John Dawſon, and Richard Brewer reſpectively, and have out of the Money ariſing by the real and ſeparate perſonal Eſtate of the ſaid Joſeph Fade, and by the Bank and Partnerſhip Eſtate and Effects of the ſaid Joſeph Fade, paid and ſatisfied all the ſeparate Debts, and alſo all the Bank and Partnerſhip Debts of the ſaid Joſeph Fade, which were due at the Time of his Death, and remained unpaid, and which ſaid Debts were claimed and adjudged purſuant to the ſaid Act of Parliament, and the ſaid Aſſignees have out of the ſaid ſeparate Eſtate and Effects of the ſaid John Willcocks and John Dawſon paid to the reſpective ſeparate Creditors their ſeveral ſeparate Debts which were claimed and adjudged purſuant to the ſaid Act of Parliament, and have out of the Reſidue of the ſaid Eſtates and Effects of the ſaid Joſeph Fade, John Willcocks, and John Dawſon, veſted as aforeſaid in the ſaid Aſſignees, paid by ſeveral Payments to ſuch of the ſaid Bank Creditors, as have called for the ſame, fifteen Shillings and four Pence

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in the Pound of their principal Debts, adjudged to them pursuant to the said Act of Parliament: And whereas the said Assignees have made up, and delivered to the said Commissioners, a just and fair Account of all the Sums by them received out of said Estates by the said Act of Parliament vested in them, and of the Payments and Disbursements by them made in pursuance of the said Act of Parliament, which Account hath been proceeded upon, examined and settled by the said Commissioners in the Manner directed by the said Act of Parliament: And whereas there still remains in the Hands of the said Assignees, unapplied and undisposed of, certain Sums of Money which have been raised by them out of the Estates so vested in them as aforesaid, and the said Assignees for the Benefit and Advantage of the said Bank Creditors have taken new and more effectual securities for the Payment at future Times of several of the Debts which were vested in them by the said Act of Parliament, which Securities still remain unsatisfied in the Hands of the said Assignees, and there also remain vested in the said Assignees several unsatisfied Securities and Debts which were due to the said Joseph Fade, John Willcocks, John Dawson, and

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Richard Brewer respectively: And whereas there is great reason to apprehend, that the Fund for Payment of the said Bank Creditors will not be sufficient to satisfie the principal Money remaining due to them respectively, and that there will be a great length of Time before there can be a sufficiency of the said Fund collected and called in to pay the said Bank Creditors to the amount, with what they have already received, of eighteen Shillings in the Pound of their said principal Debts: And whereas it hath been proposed to the said Bank Creditors by Robert Birch of the City of Dublin Merchant, that for the more speedy payment to them the said Bank Creditors to the amount, with what they have already received, of eighteen Shillings in the Pound in full Satisfaction of their said principal Debts, that in case all the real and personal Estates and Effects of the said Joseph Fade, which now remain unapplied and undisposed of by the said Assignees, and also all the respective real and personal Estates and Effects of the said John Willcocks and John Dawson, mentioned and specified in the said Account delivered in by them to the said Commissioners, which now remain unapplied and undisposed of by the said Assignees, and

also

also all the real and personal Estates and Effects of the said Richard Brewer now remaining unapplied and undisposed of, and also all Sums of Money now in the Hands or Power of the said Assignees, or two of them, which hath arisen from, or out of the said Estates and Effects so vested in them as aforesaid, or any Part, or Part or Parts thereof, and now remains undisposed and unapplied to the uses of the said Act, and also all the said new Securities taken as aforesaid by the said Assignees which remain unsatisfied, be transferred unto and vested in him the said Robert Birch, his Heirs, Executors, and Administrators, that he the said Robert Birch, will on or before the Twenty fifth Day of March One thousand seven hundred and sixty five, by and out of the said Estates and Effects of the said Joseph Fade, John Willcocks, and John Dawson, and the Money still undisposed which hath arisen from the same, and the said new Securities which have been taken for any Part or Parts thereof so to be transferred unto and vested in him the said Robert Birch, or by or out of the proper Estate and Effects real and personal of him, the said Robert Birch, pay and satisfie unto each and every of the said Bank Creditors, to the Amount with what

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they have already received, of eighteen Shillings in the Pound of their said principal Debt, which have been adjudged to them by the said Commissioners pursuant to the Directions in the said Act of Parliament; and that he the said Robert Birch, his Heirs, Executors and Administrators, will make such Application of the Estates and Effects of the said Richard Brewer, so to be vested in him, the said Robert Birch, his Heirs, Executors and Administrators, as is herein after mentioned and directed concerning the same: And whereas at a Meeting of a Majority in Value of the said Bank Creditors, and the said Assignees, and the said John Willcocks and John Dawson, the said Proposal of the said Robert Birch was taken into their Consideration and approved of by them as advantageous to the said Bank Creditors, wherefore for the more effectual carrying the said recited Act of Parliament into Execution, and also in Consideration that the said Robert Birch, hath paid a considerable Sum of Money on account of the Intenture of the Twenty fourth Day of March, in the Year One thousand seven hundred and fifty six, mentioned in the said Act of Parliament, and having in pursuance thereof paid a large Sum of Money to the said Assignees: Be it

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it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, at the humble Petition of Your Majeſty's moſt dutiful Subjects, Joſhua Paul, Eſquire, Dame Elinor Bradſtreet, Executrix and Deviſee of the perſonal Eſtate of Sir Simon Bradſtreet Baronet, deceaſed, James Dunn, Eſquire, Thomas Cooke, and Hans Bailie, Aldermen, and Richard Phepoe Merchant, in behalf of themſelves, and the other Creditors of the ſaid Bank, and of the Aſſignees appointed by Act of Parliament for the Relief of the ſaid Creditors, and of the ſaid John Willcocks, and John Dawſon, that all the Eſtates and Effects, real and perſonal of the ſaid Joſeph Fade, which now remain unapplied and undiſpoſed of by the ſaid Aſſignees, and alſo all the reſpective real and perſonal Eſtates and Effects of the ſaid John Willcocks, and John Dawſon, mentioned and ſpecified in the ſaid Account delivered in by them to the ſaid Commiſſioners which now remain unapplied and undiſpoſed of by the ſaid Aſſignees and alſo all the real and perſonal Eſtates and Effects of the ſaid Richard Brewer, now remaining unapplied and undiſpoſed of, alſo

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all Sums of Money now in the Hands or Power of the said Assignees, or two of them, which hath arisen from, or out of the said Estates and Effects so vested in them as aforesaid, or any Part or Parts thereof, and now remains unapplied and undisposed of to the Uses of the said Act, and also all the said new Securities taken as aforesaid by the said Assignees which remain unsatisfied, and also the full Benefit and Advantage of the said Decree or Adjudication of the said Commissioners for the Sum of sixty seven thousand One hundred and One Pound, sixteen Shillings and seven pence half-penny, against the said Richard Brewer, and all Debts and Securities for Debts which were due and owing to the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, or to any three, or two, or any one of them, and which still remain due and unsatisfied be vested and declared to be vested in the Seizen and Possession of the said Robert Birch, his Heirs, Executors, and Administrators, in as ful and ample Manner to all Intents and Purposes, as the same are, or were vested in the said Assignees by the said Act of the Twenty ninth Year of the Reign of his late Majesty King George the Second, or otherwise upon Trust,

Truſt, nevertheleſs, and to the Intent and Purpoſe that the ſaid Robert Birch, ſhall make ſuch Application thereof as is herein after mentioned concerning the ſame. CHAP. X.

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Aſſignees in the ſaid recited Act named, do and ſhall with all convenient ſpeed after the paſſing of this Act, deliver, or cauſe to be delivered over, by their reſpective Regiſter or Regiſter's, Clerk or Clerks, and Agents, to the ſaid Robert Birch, all Books, Papers, Writings, Deeds, Securities, and Evidences, which are in their, or any of their Cuſtody or Power, any Way relating to the aforeſaid, real or perſonal Eſtates hereby veſted in the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators, or any Part or Parts thereof, or any Way concerning all, or any of the Proceedings and Adjudications of the ſaid Commiſſioners, in Execution of the Truſts repoſed in them by the ſaid recited Act of Parliament, or any Wiſe relating thereunto that are in the Power, Cuſtody, or Poſſeſſion of the ſaid Commiſſioners and Aſſignees, or any of them, or any other Perſon or Perſons employed by them, except the Book or Books wherein are entered the Claims made by the Creditors and

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the Adjudications made thereon by the said Commissioners pursuant to the Directions of the said recited Act.

And be it Enacted by the Authority aforesaid, That the said Commissioners in the said recited Act named, or three or more of them, shall with all convenient Speed, after the passing of this Act, cause a fair Copy to be made of the said Book or Books, containing the Entries of the said Claims and Adjudications, which said Copy shall be signed by them, or Three or more of them, and deliver or cause the same to be delivered to the said Robert Birch, to be by him kept for his own Use, which said Copy so Signed by the said Commissioners, or three or more of them, shall have the same Force and Effect, and shall be considered as full and sufficient Evidence of such Entries, as the said Original Book or Books: And that the said Commissioners, or three or more of them, shall with the like convenient Speed after the passing of this Act, deliver unto and deposite with the said John Willcocks and John Dawson, or the Survivor of them, the said Original Book or Books, containing the said Entries of the said Claims, to be kept by the said John Willcocks and John

John Dawſon, and the Survivor of them, for the Uſe and Benefit of the ſaid Creditors; and that all and every of the ſaid Creditors ſhall and may, at all reaſonable Times, have free acceſs to and inſpect the ſame, and have ſuch other Uſe thereof as ſhall or may be requiſite to prove their or any of their Debts, adjudged to them by the ſaid Commiſſioners as aforeſaid. CHAP. X.

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Aſſignees in the ſaid recited Act named, and the ſaid John Willcocks, and John Dawſon and their and every of their Heirs, Executors, and Adminiſtrators, and their reſpective Eſtates real and perſonal, may be hereby adjudged and declared to be abſolutely freed and diſcharged of and from all and every of the ſaid Truſts, and of and from all Claims and Demands whatſoever that can or may be made to or upon them, or any of them, for or on Account, or by Reaſon, or in Conſequence of any Decree, Adjudication, Order, Opinion, or Direction pronounced, made, or given by the ſaid Commiſſioners, or any of them; or on account, or by reaſon, or in conſequence of what the ſaid Aſſignees in the ſaid recited Act named, or the ſaid John

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Willcocks, and John Dawſon, or any of them, did, or omitted to do in Execution of the ſaid recited Act, or any Order or Direction thereby given; and alſo of and from all Claims and Demands whatſoever that can or may be made to, or upon them, or any of them, for or by reaſon, or in conſequence of the Neglect, Default, or Misbehaviour of any Perſon or Perſons whatſoever employed by them, or any of them, in the Execution of the ſaid recited Act; and alſo of and from all Claims and Demands whatſoever that can or may be made to or upon them, or any of them, for or by reaſon or in conſequence of any Compoſition or Compoſitions, made or entered into by the ſaid Aſſignees, for or concerning any of the Eſtates, real or perſonal, veſted in them as aforeſaid by the ſaid recited Act; or for, or by reaſon, or in conſequence of the Neglect, Misbehaviour, or Inſolvency of any Agent or Agents, Receiver or Receivers, named, employed, or appointed by them the ſaid Aſſignees, or any of them, to collect or receive the Debts, or any Part thereof, which had been veſted as aforeſaid in the ſaid Aſſignees; or the Money for which the Eſtates, or any Part or Parts of them, veſted as aforeſaid in

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the said Assignees was or were sold; and that in any Suit now depending, or which may arise either in Law or Equity, touching or concerning any of the Matters aforesaid, or any part of the real or personal Estates by the said recited Act vested in the said Assignees, or the Disposal or Application thereof, or any part or parts thereof, by the said Assignees or any of them, it shall not be necessary to make the said Assignees or any of them, or the said John Willcocks, and John Dawson, or either of them, their or any of their Heirs, Executors, or Administrators, or the Creditors of the said late Bankers, or of Richard Brewer, or of any of them, Parties or Party; but that in every such Suits the said Robert Birch, his Heirs, Executors, and Administrators, shall be in their Places, and that all Suits heretofore commenced, and now depending in any way relative to the Premisses, may and shall, by leave of the respective Courts wherein such Suits do depend, be prosecuted and defended in the Name of the said Robert Birch, his Heirs, Executors, Administrators, or Assigns, or in the Name of such Nominee of the said Robert Birch, as is herein after mentioned.

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And be it further Enacted by the Authority aforesaid, that the said Robert Birch, his Heirs, Executors, or Administrators, shall pay and satisfy all the Costs and Expences of passing this Act, and all Disbursements relating thereto, and all Bill and Bills of Costs, which remain due and unpaid to any Agent or Agents, Attorney or Attornies, Sollicitor or Sollicitors, heretofore nominated or appointed by the said Assignees, in the said recited Act named, or by any Two or more of them, to prosecute or defend any Suit or Suits at Law, or in Equity, relative to the Estates, real or personal, thereby vested or intended to be vested in them.

And be it further Enacted by the Authority aforesaid, that the said Robert Birch, his Heirs, Executors or Administrators, shall or may, at his and their own proper Costs and Charges, call in and receive, or sue for, or recover, or compound, all or any of the Debts due on the Securities hereby vested in him, and also take and receive, or sue for and recover, at his and their like Costs and Charges, the Possession of all or any of the Lands, Tenements, Hereditaments, and Premisses hereby vested in him, or the Rents and Profits thereof; and

and that all Suits, either at Law or in Equity, for that Purpose, may be commenced and prosecuted, in the Name or Names of any Person or Persons to be nominated for that Purpose by the said Robert Birch, his Heirs, Executors or Administrators, and that all Proceedings in the Name or Names of such Person or Persons so to be nominated, shall be as good and effectual to all Intents and Purposes, as if such Suits and Proceedings had been carried on in the Name of the said Robert Birch, his Heirs, Executors, or Administrators, and in case of the Death of any Person or Persons so nominated, another Person or Persons shall or may be nominated by the said Robert Birch, his Heirs, Executors, or Administrators, and such Suit or Suits shall not abate by the Death of any such Person or Persons, but shall proceed in the Name or Names of such other Person or Persons, as shall be nominated as aforesaid.

Provided allways, and be it Enacted by the Authority aforesaid, That the said Robert Birch, his Heirs, Executors, and Administrators, shall bear and defray all Costs, Charges, and Expences, which the said John Willcocks and John Dawson, or

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either of them, or the ſaid Aſſignees named and appointed in and by the ſaid recited Act of Parliament, or any of them, ſhall or may hereafter be put to, for or by Reaſon, or in Conſequence of their or any of their being made Party or Parties, Defendant or Defendants, to any Suit or Suits, either at Law or Equity, which are already commenced, or may hereafter be inſtituted for or concerning, or any Way relating to all or any of the Eſtates or Effects hereby veſted or intended to be veſted in the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators, except only ſuch Coſts, Charges, or Expences, as may hereafter be occaſioned by any wilful Default of them the ſaid John Willcocks, John Dawſon, and the ſaid Aſſignees or any of them, and that he the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators, ſhall in Lieu and Satisfaction thereof have and receive to his and their own Uſe, all ſuch Coſts, Charges and Expences, as in the Progreſs or Event of ſuch Suit or Suits at Law or in Equity, ſhall be adjudged, ordered, or decreed, to the ſaid John Willcocks and John Dawſon, or either of them, or to the ſaid Aſſignees, or any of them.

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And be it further Enacted by the Authority aforesaid, That no Person or Persons who shall be sued either at Law or in Equity, by the said Robert Birch, his Heirs, Executors, or Administrators, or by any Person or Persons to be appointed by him or them, or any of them, to sue as aforesaid by Virtue of all or any of the Powers given by this Act, shall have any Priviledge as Member or Members of either House of Parliament, saving as to the Persons of such Members; any thing herein before contained, or any Law, Usage, or Custom to the contrary thereof, in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Robert Birch, his Heirs, Executors, and Administrators, whilst the said Estates, Securities, or Debts, or any of them, remain vested in him, or them, or any of them, by Virtue of this Act, shall be at Liberty to sue for in Manner aforesaid, and recover the said Estates and the Rents thereof, and the Money secured by, and due, and owing on the said several Securities, and the Debts due on them, or any of them, notwithstanding any Statute or Statutes of Limitation hereto fore made to the con-

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trary; and that no Statute of Limitation shall be pleaded, insisted or relyed on, or any way allowed or made Use of in any Court of Law or Equity, to bar or in any sort affect the said Estates, Securities or Debts, or any of them, whilst the same, or any of them, have been vested in the said Assignees in the said recited Act mentioned, or whilst the same, or any of them, shall remain vested in the said Robert Birch, his Heirs, Executors, or Administrators, by Virtue hereof.

Provided allways, and be it Enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to bar, hinder, or prevent any Person whatsoever from having such Benefit and Advantage of the Statutes of Limitation, or any of them, as such Person had, or might have had, at the Time of passing the said recited Act, in as ample and beneficial a Manner as if this Act had never been made.

And be it further Enacted by the Authority aforesaid, That the said Robert Birch, his Heirs, Executors, or Administrators do, and shall on or before the Twenty fifth Day of March, which will be in the

the Year of Our Lord One thouſand ſeven hundred and ſixty five, by and out of the Eſtate and Effects of the ſaid Joſeph Fade, John Willcocks, and John Dawſon, and the Money ſtill undiſpoſed of which hath ariſen from the ſame, and the ſaid New Securities which have been taken for any Part or Parts thereof, hereby veſted in him the ſaid Robert Birch, his Heirs, Executors, and Adminiſtrators, and by and out of the proper Eſtate and Effects, real and perſonal, of him the ſaid Robert Birch, pay and ſatisfy unto each and every of the ſaid Bank Creditors, ſuch Sum and Sums of Money as will, with the Payments already made to them reſpectively by the Aſſignees in the ſaid recited Act named, make up and amount to the Sum of Eighteen Shillings in the Pound, in full Satisfaction of their, and each of their ſeveral and reſpective Principal Debts, which were adjudged to them by the ſaid Commiſſioners, purſuant to the Directions in the ſaid recited Act; and in Caſe the ſaid Robert Birch, his Heirs, Executors, and Adminiſtrators, ſhall neglect to pay to any of the ſaid Bank Creditors to the Amount aforeſaid, when the ſame ſhall be demanded of him the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators,

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upon the said Twenty fifth Day of March in the Year One thousand seven hundred and sixty five, or at any Time within Three Years afterwards, that then, and in such Case, it shall and may be lawful to and for each and every of the said Bank Creditors to whom the said Robert Birch, his Heirs, Executors, and Administrators, shall neglect to make Payment to the Amount aforesaid, to Sue for, and Recover from the said Robert Birch, his Heirs, Executors, or Administrators, by Action of Debt in any of His Majesty's Four Courts in Dublin, wherein no Essoin, Priviledge, Protection, or Wager of Law shall be allowed, or in a Summary way by English Bill, or Paper Petition, to be heard and determined by the Recorder of the City of Dublin, in such Manner as is directed in and by an Act of Parliament passed in this Kingdom in the Thirty first Year of the Reign of His late Majesty King George the Second, intituled, An Act for the recovery of small Debts in a Summary way, in the City of *Dublin* and the Liberties thereof, such Sum or Sums of Money as he and they shall neglect to pay as aforesaid, and also the full Costs and Charges which shall be laid out, or expended in or about the prosecuting such Suit

Suit or Suits, together with the lawful Interest of such Sum or Sums of Money, as he the said Robert Birch, his Heirs, Executors, or Administrators, shall neglect to pay as aforesaid, which Interest shall be computed, and commence at and from the Time of such Demand as aforesaid, being made to or upon the said Robert Birch, his Heirs, Executors, or Administrators, until the same shall be recovered as aforesaid.

And be it further Enacted by the Authority aforesaid, That the aforesaid several and respective Sums of Money to be paid as aforesaid by the said Robert Birch, his Heirs, Executors, or Administrators, to the said several and respective Bank Creditors, shall immediately from and after the passing of this Act, be alien, and charged, and chargeable upon all the Real Estate of him the said Robert Birch, until the same shall be paid to the said respective Bank Creditors, or be otherwise barred or discharged as herein after mentioned.

And whereas in and by the said recited Act of the Twenty ninth Year of the Reign of His late Majesty King George the Second, it is Enacted, That in case

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the net Produce of the said Estates of the said John Willcocks and John Dawson should, over and above the Allowance thereafter made, be sufficient to pay the said Partnership Creditors of the said John Willcocks and John Dawson, the Sum of Sixteen Shillings in the Pound for their respective Debts, that then each of them, the said John Willcocks and John Dawson, should be allowed the Sum of Seven Pounds for each Hundred Pounds out of such net Produce, to be paid by the said Assignees or Two of them, so as such Seven Pounds for each Hundred shall not amount in the whole to above the Sum of Three thousand Pounds to each of them the said John Willcocks and John Dawson.

And whereas it is now manifest that the net Produce of the said Estates of the said John Willcocks and John Dawson, over and above the said Allowance, are more than sufficient to pay their said Partnership Creditors the Sum of Sixteen Shillings in the Pound for the respective Debts, and that the said Sum of Seven Pounds for each Hundred Pounds out of such net Produce, to be paid to each of them the said John Willcocks and John Dawson as aforesaid, doth fully amount to the Sum of Three thou-

thouſand Pounds for each of them: And be it therefore further Enacted by the Authority aforeſaid, That the ſaid Robert Birch do and ſhall, immediately after the paſſing of this Act, pay unto each of them the ſaid John Willcocks and John Dawſon, or to their reſpective Executors or Adminiſtrators, ſo much Money as together with what hath been already paid and allowed unto each of them, the ſaid John Willcocks and John Dawſon, by the ſaid Aſſignees, ſhall make up unto each of them the Sum of Three thouſand Pounds Sterling, in full Satisfaction of the aforeſaid Allowance provided for them by the ſaid recited Act of Parliament.

And be it further Enacted by the Authority aforeſaid, That the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators do, and ſhall with all convenient ſpeed after the paſſing of this Act, ſell and diſpoſe of to the beſt Advantage for Money, all the real and perſonal Eſtates of the ſaid Richard Brewer, which remains undiſpoſed of, and is hereby veſted in him, the ſaid Robert Birch, his Heirs, Executors, and Adminiſtrators, and ſhall collect, ſue for, and recover, or compound, all or ſo much as he ſhall be able of the Debts which were due to the ſaid

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Richard Brewer, and remain unsatisfied and are hereby vested in the said Robert Birch, his Executors and Administrators, and that the said Robert Birch, his Heirs, Executors, or Administrators, shall with the Money to be raised as aforesaid out of the Estates and Effects real and personal of the said Richard Brewer, which are mentioned and specified in the said Account delivered by him to the said Commissioners, pay the Debts of the said Richard Brewer, which have been adjudged by the said Commissioners, and which remain unsatisfied, according to their Nature, Amount, and Priority; and in case the same shall not be sufficient for that Purpose, that then the said Robert Birch shall pay the Clais of such Creditors where such Deficiency shall begin, rateably, and in equal Proportions, in such Manner as is in and by the said recited Act directed concerning the same.

Provided allways, And be it hereby declared and enacted by the Authority, That the said Robert Birch in such Payments to be made as aforesaid, by and with the Money to be raised out of the Estates and Effects real and personal of the said Richard Brewer, which are mentioned and specified in the said Account delivered

livered by him to the said Commissioners is and shall be considered as a Creditor of the said Richard Brewer, for the said Sum of sixty seven thousand One hundred and One Pounds sixteen Shillings and seven Pence half-penny, heretofore adjudged against him the said Richard Brewer, upon the aforesaid Claim of the said Willcocks and John Dawson, and that the said Robert Birch shall be paid for the same out of the said Estate real and personal of the said Richard Brewer, in the same manner, rate, and in proportion, as is herein before directed with respect to the other Creditors of the said Richard Brewer.

Provided nevertheless, and be it Enacted by the Authority aforesaid, That in case there shall at any Time hereafter discovered any Estate or Effects of the said Richard Brewer, not comprized in, or specified by, the said Account delivered by him in, unto the said Commissioners named in the said recited Act, that then and in such Case no Part of the said Estate or Effects of the said Richard Brewer, which shall hereafter be so discovered, or the Produce thereof, shall be any way applied or applicable to the Payment of any part of the said Sum of sixty seven thousand One hundred and One Pounds six-

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teen Shillings and ſeven Pence half-penny, to the ſaid Robert Birch, but that the net Produce of all ſuch Eſtate and Effects of the ſaid Richard Brewer as ſhall hereafter be diſcovered, not exceeding in the whole the Amount of ſo much Money as together with the net Produce of the Eſtate and Effects of the ſaid Richard Brewer, mentioned and ſpecified in and by the ſaid Account delivered by him to the ſaid Commiſſioners, ſhall make up the aforeſaid Sum of ſixty ſeven thouſand One hundred and One Pounds ſixteen Shillings and ſeven Pence half-penny, ſhall be paid and applied by the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators, to and amongſt the ſaid Creditors of the ſaid Richard Brewer and the ſaid Bank Creditors, rateably and in equal Proportions, of and for the ſeveral Debts which have been adjudged to them by the ſaid Commiſſioners, over and above the Sum of eighteen Shillings in the Pound to be made up to the ſaid Bank Creditors as is herein before directed.

And be it further Enacted by the Authority aforeſaid, That ſuch Part and Parts of the ſaid Eſtates real and perſonal of the ſaid Joſeph Fade, John Willcocks, and John Dawſon,

Dawſon, hereby veſted in the ſaid Robert Birch, his Heirs, Executors, and Adminiſtrators, or ſuch Part or Parts thereof as ſhall remain undiſpoſed of by the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators, ſhall, from and after ſuch Time as the ſaid Robert Birch, his Heirs, Executors, or Adminiſtrators, purſuant to the Directions of this Act, ſhall have paid to each and every of the ſaid Bank Creditors ſuch Sum and Sums of Money as will with the Payments already made to them reſpectively, by the ſaid Aſſignees in the ſaid recited Act named, make up and amount to the Sum of eighteen Shillings in the Pound of their and each of their ſeveral and reſpective principal Debts which were adjudged to them by the ſaid Commiſſioners purſuant to the Directions in the ſaid receited Act, ſhall be and remain to and for the ſole Uſe, Benefit and Behoof of the ſaid Robert Birch, His Heirs, Executors, Adminiſtrators, and Aſſigns, freed and diſcharged from all Claims and Demands for or by reaſon of any of the Debts of the ſaid Joſeph Fade, John Willcocks, and John Dawſon, or any of them.

And be it further Enacted by the Authority aforeſaid, That each and every of the

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said Bank Creditors, shall in three Years after the said Twenty fifth Day of March One thousand seven hundred and sixty five, make a demand of what shall be then due to such Creditors, by the said Robert Birch, his Heirs, Executors or Administrators, by Virtue of this Act, and that on Failure of making such Demand as aforesaid every such Creditor, his Executors and Administrators, shall for ever be barred and precluded from suing for such Debt, either in Law or Equity, and that from thenceforth the Estates real and personal of him the said Robert Birch, his Heirs, Executors, and Administrators, shall be for ever freed, exonerated and discharged, of and from the same; any Law, Usage, or Custom, to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That this Act, and all and every Clause and Clauses therein contained, and every Part thereof, shall be deemed and taken notice of, in all Courts of Law and Equity in this Kingdom, as a Publick Act of Parliament.

Provided allways, and be it Enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be

be construed to extend to affect any of the Legatees or Devisees of the said Joseph Fade, the said John Dawson excepted, who have claimed and proved their Demands and Right in such Manner as was in and by the said recited Act of the Twenty ninth Year of the Reign of His late Majesty King George the Second directed concerning the Creditors of the said Joseph Fade. CHAP. X.

Provided also, and be it Enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to affect Mary Brewer, Wife of the said Richard Brewer, or to Bar, Defate, or Prejudice any Right, Claim, Title or Interest, which she, the said Mary hath proved in the Manner directed by the said recited Act, that she had, or may have, to any Part of the real Freehold or personal Estates of the said Richard, under certain Articles bearing Date the Day of October One thousand seven hundred and forty One, alledged to be entered into, and perfected by the said Richard Brewer of the first Part, Mary Maughan Spinster of the second Part, and Mary Maughan Widow of the third Part, previous to, and in consideration of, his Intermarriage with the said Mary.

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And whereas Richard Brewer, **the late Cashier of the said** John Willcocks **and** John Dawson **was in the Month of** March, **in the Year One thousand seven hundred and fifty five, committed a Prisoner to the** Marshalsea **of the** Four-courts **at the Suit of the said** John Willcocks **and** John Dawson, **and notwithstanding that all the Estates and Effects real and personal of the said** Richard Brewer, **which he or any Person or Persons in Trust for him, or to his Use or Behoof, was seized, possessed, or interested in, or intitled unto, on the Twelfth Day of** February **One thousand seven hundred and fifty five, or since were by the said Act of Parliament vested in the Assignees therein named to and for the Intents and Purposes therein mentioned, and that no Discovery hath been made of the said** Richard Brewer's **having secreted or concealed any Part of his said Estates or Effects so vested in the said Assignees, the said** Richard Brewer **ever since he was so committed to the said** Marshalsea, **hath been, and still is, a Prisoner therein at the Suit of the said** John Willcocks **and** John Dawson: **Be it Enacted by the Authority aforesaid, That the said** Richard Brewer **be forthwith**

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with discharged from his said Imprison-ment, at the Suit of the said John Willcocks and John Dawson, and that the Person of the said Richard Brewer be for ever dis-charged from the Ballance adjudged by the Commissioners, in the said Act named, to have been then due by him the said Richard Brewer to the said John Willcocks and John Dawson, and also of and from all and every Debt and Debts due or owing by the said Richard Brewer to any Person or Persons whatsoever; Saving allways, to the King's Most Excellent Majesty, and to all and every other Person and Per-sons, Bodies Politick and Corporate, (ex-cept the said Assignees in the said recited Act named, and such Person and Persons as Claim or derive under the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, or any or either of them, and whose Rights are herein and in the said recited Act before saved) all such Right, Title, and Interest, as they, or any of them, might have had in Case this Act had never been made.

CHAP. XI.

AN

ACT

FOR

Altering and amending an Act, *intituled*, an Act for amending an Act, *intituled*, an Act for Encouragement of Tillage, and better Employment of the Poor, and alſo for the more effectual putting in Execution an Act, *intituled*, an Act to Encourage the Draining and Improving of Boggs and unprofitable Low Grounds, and for eaſing and diſpatching the Inland Carriage and Conveyance of Goods from one Part to another in this Kingdom; and alſo for laying ſeveral Duties upon Coaches, Berlins, Chariots, Calaſhes, Chaiſes, and Chairs, and upon Cards and Dice, and upon wrought and manufactured Gold and Silver Plate, imported into or made in *Ireland*, for the Purpoſes therein mentioned; and alſo for repealing the Duties payable upon the Exportation of Wool Bay-Yarn, and Woollen-Yarn, out of this Kingdom for *England*.

GIII. R.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

AN

ACT

FOR

Altering and amending an Act, *intituled*, an Act for Amending an Act, *intituled*, an Act for Encouragement of Tillage, and better Employment of the Poor; and alſo for the more effectual putting in Execution an Act, *intituled*, an Act to Encourage the Draining and Improving of Boggs and unprofitable Low Grounds, and for eaſing and diſpatching the Inland Carriage and Conveyance of Goods, from one Part to another in this Kingdom, and alſo for layſeveral Duties upon Coaches, Berlins, Chariots, Calaſhes, Chaiſes, and Chairs, and upon Cards and Dice, and upon wrought and manufactured Gold and Silver Plate, imported into or made in *Ireland*, for the Purpoſes therein mentioned; and alſo for repealing the Duties payable upon the Exportation of Wool, Bay-Yarn, and Woollen-Yarn, out of this Kingdom for *England*.

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CHAP. XI.

WHEREAS by the ſaid Act herein before mentioned, the Commiſſioners therein mentioned and deſcribed, were from and after the Firſt Day of May One thouſand ſeven hundred

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and fifty two, united and erected into One Company, Body Politick or Corporate, by the Name, Stile and Title, of the Corporation for Promoting and Carrying on an Inland Navigation in Ireland, to have perpetual Succession, with several Powers and Authorities, which in and by the said Act, are particularly mentioned and expressed: And whereas it is among other Things Enacted, in and by the said Act, that the said Corporation, Eleven or more of them being present, should and might hold a General Court or Assembly, at some convenient Place in the City of Dublin, Four Times in every Year on the following Days: that is to say on every Monday immediately next after the First Day of May, every First Day of August, every First Day of November, and every First Day of February, respectively, and oftner, as the said Corporation, Eleven or more of them being present, should see Occasion, and that the said Corporation, Eleven or more of them being present, might and should at their General Quarters Meeting, which should be held the Monday after the First Day of February next ensuing the passing the said Act, and so on Monday next after the First Day of February in every succeeding Year, Constitute

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tute and appoint out of and from themselves, Twenty four Commissioners, to be called Assistants, which said Assistants were to be chosen in Manner as by the said Act is directed, and the said Assistants for the Time being, or any five or more of them, were thereby impowered to meet and assemble themselves together, at one of the two Places where the said Corporation had usually met in the City of Dublin, (to wit) His Majesty's Castle of Dublin, or the Parliament House, and as often as they should think proper: And whereas the two Places mentioned and appointed by the said recited Act for the Meeting and Assembling of the said Assistants, or any five or more of them, (to wit) His Majesty's Castle of Dublin, or the Parliament House, have been found inconvenient: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Passing of this Act, it shall and may be Lawful to and for the said Twenty four Commissioners, or Assistants, for the Time being, or any five or more of them, from Time to Time, and as often as

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they shall think Proper, to meet and assemble themselves together, at any convenient Place in the City or County of Dublin, according to their Discretion for the Purpose of executing all such Powers and Authorities, as are given and granted to them by the said recited Act.

And be it further Enacted by the Authority aforesaid, that it shall and may be lawful to and for the said Corporation, for promoting and carrying on an Inland Navigation in Ireland, to apply so much of the Duties vested in them by Act of Parliament, as shall be necessary for building a convenient House within the City or County of Dublin, and furnishing the same with proper Accommodations for the Reception of the said Corporation and Assistants, to meet and assemble in, for putting in Execution the several Powers and Authorities vested in them by Law, and until such House shall be built and furnished as aforesaid, to apply so much of the said Duties as shall be necessary for the Rent or Hire of a House within the said City or County of Dublin, fitting and proper for their Accommodation.

And

And whereas the Commissioners appointed by the said several Acts for putting the same in Execution, at their several and respective Meetings to do Business, are thereby disabled from acting unless Eleven or more of them be present: And whereas the assembling so great a Number to do the ordinary and necessary Business of the said Corporation has been found very difficult, and great Disappointments and Delays have frequently followed from a sufficient Number not meeting at the Times appointed for that Purpose: Be it Enacted by the Authority aforesaid, That from and after the First Day of May next, seven or more of the said Corporation being present, shall at all Times hereafter have full Power and Authority to do all such Acts, as any eleven or other Quorum or Number of the said Corporation might have done by Virtue of the several Statutes in that Case made and provided: Except to grant money for the carrying on of Works now begun or hereafter to be begun.

And in Order to enable the said Corporation to carry on and prosecute the

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Works now undertaken, or hereafter to be undertaken by them, in the most effectual and sufficient Manner, be it Enacted by the Authority aforesaid, That from and after the First Day of May One thousand seven hundred and sixty four, it shall and may be lawful to and for every Overseer appointed by the said Corporation, or any Seven or more of them, to the Care and Direction of the Works by them carried on, and for such Person or Persons as such Overseer shall from Time to Time appoint, by Order of the said Corporation, or any Seven of them first obtained for that Purpose, to open any Quarry or Quarries, Gravel, or Sand, or Clay-pits, or Gravel, Sand, or Clay-pits, and thereout to raise, digg, and gather Stones, Gravel, Sand or Clay in the several Grounds of any Person or Persons, not being a Garden, Orchard, inclosed Yard, Deer-park, Planted-Walk, or Avenue to a House, where any such Materials are or may be found, and from Time to Time carry away the same, or so much thereof as such Overseer shall Adjudge necessary, to be made Use of in any Canal, Track, Road, or other Works undertaken or to be undertaken by the said Corporation, Satisfaction being first made to the

the Proprietors and Occupiers of the Grounds that shall be made Use of or damaged thereby, which Satisfaction in case the same cannot be adjusted by the Parties, shall be finally ascertained by a Jury, in such Manner as by the Act of the Twenty fifth of His late Majesty is directed for making Satisfaction for such Grounds as shall be damaged in making or finishing any Canal, or in making any River navigable.

And in order to preserve and keep in repair the several Track-roads, which now are, or hereafter may be made along any Canal or Navigable River by the Direction of the said Corporation; be it enacted by the Authority aforesaid, That from and after the First Day of May One thousand seven hundred and sixty four, it shall and may be lawful to and for the said Corporation, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them shall authorize and appoint, to Erect, or cause to be Erected, one or more Gate or Gates, Turnpike or Turnpikes, in, upon or across any Track-road, or other Road which now is, or hereafter by the Direction and Order of the said Corpora-

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tion, shall be made along or on the Banks of any Canal or Navigable River, and also such Toll-house or Toll-houses, as they shall judge necessary, and the said Corporation, or any Seven or more of them, shall and may from Time to Time appoint such Toll and Duties, to be there demanded, received, and taken, or may compound with any Person or Persons for the same, before any Horse, Mare, Gelding, Ass, or Mule, Cattle, Coach, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Carr, or other Carriage, not serving or helping any Vessel in passing up or down the said Canal or River, shall be permitted to pass through such Gate or Turnpike as they shall think fit and reasonable, and all the Tolls or Duties which shall be received or collected as aforesaid, the necessary Charges of collecting the same to be ascertained by the said Corporation, or any Seven or more of them, being first deducted, shall be applied to repair and keep up the said Road, and if not wanted for that Use, to such other Use for the Benefit of the Works undertaken, or to be undertaken, by the said Corporation, as the said Corporation, or any Seven of them, shall think proper and convenient, and the said Corporation

tion, or any Seven or more of them, are hereby impowered by themſelves, or any Perſon or Perſons by them, or any Seven or more of them, under their Hands and Seals thereunto authorized, to levy the Toll or Duty hereby required to be paid, upon any Perſon or Perſons who ſhall after Demand made thereof neglect or refuſe to pay the ſame, by diſtreſs of any Horſe, or Goods, upon which ſuch Toll or Duty ſhall be impoſed as aforeſaid, or upon any other of the Goods or Chattles of ſuch Perſon or Perſons who ought to pay the ſame, and may detain and keep the Same until ſuch Toll or Duty, with the reaſonable Charges of ſuch diſtraining or keeping ſhall be paid, and after the Space of five Days after ſuch Diſtreſs made and taken, to ſell the Goods ſo diſtrained, returning the Overplus, if any, upon demand to the Owner thereof.

And whereas by a former Act it is Enacted, That no Perſon or Perſons ſhall, during the Term in the ſaid Act mentioned, ſet up, or exerciſe the Employment of making Cards, in any Town or Place in this Kingdom, except in the Cities of Dublin or Cork: And whereas ſince the paſſing the ſaid Act, Paper-mills have

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been erected in the Liberties of the City of Limerick: And whereas it may contribute to the Encouragement of the Manufacture of Paper in the said City, if the like Permission be given to make Cards in the said City, as in the Cities of Dublin and Cork: Be it Enacted by the Authority aforesaid, That from and after the First Day of August next, it shall and may be lawful to and for any Person or Persons to set up and exercise the Employment of making of Cards in the City of Limerick, or the Liberties thereof, upon giving such Notice to the Collector of the Port of the said City, as is required by the said Act in the Cities of Dublin and Cork; subject nevertheless to such Regulations, Restrictions, and Penalties, as in the said Act is mentioned, with respect to Card-makers in the Cities of Dublin and Cork.

AN

CHAP.
XII.

AN

ACT

FOR

Continuing the Encouragement given by former Acts of Parliament to the Flaxen and Hempen Manufactures.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN

ACT

FOR

Continuing the Encouragement given by former Acts of Parliament to the Flaxen and Hempen Manufactures.

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WHEREAS by an Act of Parliament made in the ninth Year of the Reign of Her late Majesty Queen Anne, intituled, An Act to enforce such Acts as have been made for the Improvement of the Linen Manufacture, and for the further Regulation of the same: An Additional Duty of One Shilling and Six-

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pence per Yard was laid on all white, painted, and ſtained Callicoes, and Six-pence per Yard on all ſorts of Linen which ſhould be imported into this Kingdom within the Space of ſeven Years, commencing from the End of the then next Seſſion of Parliament, and from the Expiration of the ſaid Term of ſeven Years, to the End of the next Seſſion of Parliament enſuing, to be applied to encourage the Hempen and Flaxen Manufactures of this Kingdom, and to be Subject to the Diſpoſal, Order, and Management of the Truſtees appointed for the Encouragement of the Hempen and Flaxen Manufactures of this Kingdom; which ſaid Duties were further continued by an Act paſſed in the Second Year of the Reign of his Majeſty King George the Firſt, intituled, An Act for continuing the Encouragement given by former Acts of Parliament to the Flaxen and Hempen Manufactures; and for the further Improvement and Regulation of the ſame during the Remainder of the ſaid firſt Term of ſeven Years, and alſo during the further Term of ſeven Years, from the Expiration of the ſaid former Term of ſeven Years, and from thence to the End of the Seſſion of Parliament then next following; and which ſaid Duties were further

further continued, but with an Exception to the Manufacture of Great Britain, by an Act passed in the tenth Year of the Reign of His Majesty King George the First, intituled, An Act for amending the several Laws now in force for encouraging the Flaxen and Hempen Manufactures in this Kingdom, and for the Improvement thereof: And whereas, by an Act passed in the first Year of the Reign of His late Majesty King George the Second, intituled, An Act for the further Improvement of the Flaxen and Hempen Manufactures of this Kingdom, the said Duties were further continued, and an additional Duty of One Shilling and Sixpence per Yard was laid on all painted and stained Muslins imported into this Kingdom, to be applied and disposed of in the same Manner with the said additional Duties on Calicoes and Linen; And whereas the said Duties on Calicoes, Muslins, and Linen, have been by several Acts of Parliament continued, but will expire with the End of this present Session of Parliament, and it is necessary for the Support and Encouragement of the said Manufactures, that the said Duties should be continued for a further Term; Be it Enacted by the King's Most Excellent Majesty, by and with the Advice

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and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all White, painted and ſtained Calicoes, and all painted and ſtained Muſlins, except ſuch Calicoes and Muſlins as are painted and ſtained in Great Britain, and all ſorts of Linen which ſhall be imported into this Kingdom, except they be of the Manufacture of Great Britain, or be painted or ſtained in Great Britain, at any Time within the Space of Twenty one Years from the End of this preſent Seſſion of Parliament and from thence to the End of the Seſſion of Parliament then next enſuing, ſhall anſwer and pay unto His Majeſty, His Heirs, and Succeſſors, the ſeveral Rates and Duties following, (that is to ſay;) One Shilling and Sixpence per Yard for every Yard of White, painted and ſtained Calicoes, painted and ſtained Muſlins, except as aforeſaid, which ſhall be imported into this Kingdom within the Time aforeſaid, and Sixpence a Yard for every Yard of any ſort of Linen, except as aforeſaid, which ſhall be imported into this Kingdom during the Time aforeſaid, the ſaid ſeveral Duties to be raiſed, levied, collected, and paid to His Majeſty, His Heirs, and Succeſſors, during the Continuance

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tinuance thereof, over and above all other Duties payable for the same, by Virtue of an Act made in this Kingdom in the fourteenth and fifteenth Years of the Reign of King Charles the Second, intituled, An Act for settling the Excise or new Impost upon His Majesty, His Heirs, and Successors, according to the Book of Rates therein inserted, and by Virtue of one other Act made in the said fourteenth and fifteenth Years of the Reign of the said King Charles, intituled, An Act for settling the Subsidy of Poundage, and granting a Subsidy of Tunnage, and other Sums of Money, unto His Royal Majesty, His Heirs, and Successors, the same to be paid upon Merchandizes imported and exported into or out of the Kingdom of *Ireland*, according to a Book of Rates thereunto annexed; and that the aforesaid respective Duties laid and imposed by this Act on all white, painted and stained Calicoes, and painted and stained Muslins and Linen Cloths, shall, during the Continuance thereof, be applied to the Use of the Hempen and Flaxen Manufactures in this Kingdom, and to no other Use whatsoever; and that the several Sums of Money arising from the said Duties so granted shall from Time to Time be paid by the Vice Trea-

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ſuter, or the Receiver General of this Kingdom, to the ſaid Truſtees for the Time being, upon a Warrant under their Hands, or the Hands of any five or more of them, without any other or further Warrant to be ſued for, had, or obtained, in that Behalf.

And be it further Enacted by the Authority aforeſaid, That no Drawback or Debenture ſhall be allowed, paid, or given by any Collectors, or any other Officers of his Majeſty's Revenue, to any Perſon or Perſons for or on Account of exporting of any Calicoe, Muſlin, Holland, Sail-Cloth, or Linen whatſoever out of this Kingdom, excepting ſuch as are of the Manufacture of, or painted or ſtained in, Great Britain; any former Law, Uſage, or Cuſtom, to the contrary thereof in any wiſe notwithſtanding:

And whereas in order to encourage the Importation of good ſound foreign Hempſeed and Flax-ſeed into this Kingdom, at eaſy and reaſonable Rates, a Premium of five Shillings a Hogſhead hath been granted and continued by ſeveral Acts of Parliament paſſed in this Kingdom in the Reign of her Majeſty Queen Ann,

His

His Majesty King George the First, and His late Majesty King George the Second, to whoever should import or cause to be imported into this Kingdom any good and sound Hemp-seed or Flax-seed of the Growth of Russia, Germany the Netherlands, the East Country, or any of the English Plantations in America, for several successive Terms of Years, the last whereof will expire with the End of this present Session of Parliament; and it hath been found by Experience, that the best Hemp-seed and Flax-seed, may be had from the Ports herein after mentioned, and that the said Encouragement for the Importation of good sound Hemp-seed and Flax-seed should be continued for a further Term: Be it enacted by the Authority aforesaid, That whoever shall import or cause to be imported into this Kingdom any good and sound Hemp-seed, or Flax-seed, from any Port in Russia, Sweden, Denmark, Poland, Russia, Germany, or any Port on the Baltick Sea, or within the Sound, or from Hamburgh, or Altena, or any of the English Plantations in America, within the Space of Twenty one Years, from the End of this present Session of Parliament, and from thence to the End of the then next succeeding Session of

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Parliament shall receive for every Hogshead of such Hemp-seed or Flax-seed, as a Premium, the Sum of five Shillings Sterling, to be paid by such Officer or Officers, and in such Manner as Drawbacks are usually paid: Provided, that during the said Term of Twenty one Years, and until the End of the then succeeding Session of Parliament every Merchant who shall Export any Hemp-seed or Flax-seed shall, for every Hogshead thereof so exported, pay five Shillings Custom to the King, His Heirs, and Successors, unless Oath be made before the Commissioners Sub-Commissioners or Officer of the Port where such Flax-seed or Hemp-seed shall be exported, that the same was of the Growth of this Kingdom, and that no Person shall be intitled to receive such Premium until he hath made Oath before the Collector of the Customs in the Port where such Seed shall be imported, expressing the Name of the County from whence he believes the same was imported, and that he verily believes the same to be sound and good, and of the Growth of the Summer then next preceding:

And whereas in order to Encourage the Raising of Flax-seed and Flax in this King-

Kingdom a Premium of One Shilling a Bushel hath been granted and continued by several Acts of Parliament passed in this Kingdom in the Reign of his late Majesty King George the Second for every Bushel of good sound merchantable Flax-seed of the Growth of this Kingdom, sent on Ship-board from the Southern Part of this Kingdom to the Northern Part thereof, for several successive Terms of Years, the last whereof will expire with the End of this present Session of Parliament and the Continuance of the said Premium for a further Term, will greatly increase the Linen Manufacture; be it enacted by the Authority aforesaid, That for the Space of Twenty One Years from the End of this present Session of Parliament, and from thence to the End of the then next Session of Parliament, when good sound and merchantable Flax-seed of the Growth of this Kingdom is, or shall be, put on Ship-board in sound Casks at Dundalk, or any other Port of this Kingdom Southward thereof, by any Merchant or other Person or Persons who shall make Oath before the Collector, Surveyor, or Land-Waiter of such Port, who are hereby impowered and required

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to administer the same, that he, to the best of his skill and knowledge, believes the said Seed to be sound and good, and that no Premium was ever received thereon, and that the same is of the Growth of this Kingdom, the Collector of the Port where the said Seed shall be put on Ship-board as aforesaid, shall, on Oath made as aforesaid, give without Fee or Reward, unto such Person or Persons as aforesaid, a Certificate wherein shall be expressed, the Quantity of Seed so shipped, and the Number of sound Casks wherein the same is contained, and the Day of the Month and Year where the same was shipped, and that Oath has been made before him as aforesaid, that then every such Person and Persons upon landing the said Seed in sound Casks in any Port of this Kingdom five Leagues or more Northward of the said Port of Dundalk, and delivering the said Certificate, and making Oath before the Collector, Surveyor, or Land-Waiter of the Port, that the said Seed so landed is the same Seed mentioned in the said Certificate, which Oath the Collector, Surveyor, or Land-Waiter of the Port is hereby impowered and required to administer, and upon Bond being given by every

every such Merchant or other Person in the Sum of Twenty Shillings for every Barrel of such Flax-seed and so in Proportion for every greater Quantity that the said Seed is good, sound, and merchantable Flax-seed of the Growth of this Kingdom, and shall not be relanded or sent into any Port of this Kingdom, more South than five Leagues North of Dundalk, shall be intitled to, and receive from the Collector of the Port where the same is landed, as a Premium, the Sum of One Shilling for every Bushel so landed, clear and free from all Duties payable upon the Export of Flax-seed, to be paid by such Officer or Officers in such Manner as Drawbacks are usually paid. CHAP. XII.

CHAP. XIII.

AN

ACT

FOR

The more effectual preventing Bribery and Corruption, in the Elections of Members to ſerve in Parliament, and the Magiſtrates of Cities, Boroughs, and Towns Corporate.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

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XIII.

ACT

The more effectual preventing Bri-
bery and Corruption, in the Elec-
tions of Members to serve in Par-
liament, and the Magistrates of
Cities, Boroughs, and Towns Cor-
porate.

AN

ACT

FOR

The more effectual preventing Bribery and Corruption, in the Elections of Members to ſerve in Parliament, and the Magiſtrates of Cities, Boroughs, and Towns Corporate.

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WHEREAS it is found by Experience that the Laws already in being have not been ſufficient to prevent corrupt and illegal Practices, in the Election of Members to ſerve in Parliament; for Remedy CHAP. XIII.

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therefore of so great an Evil, and to the end that all Elections of Members to Parliament may hereafter be freely and indifferently without Charge or Expence: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual, and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of June in the Year of our Lord One thousand seven hundred and sixty four, upon every Election of any Member or Members to serve for the Commons in Parliament, every Freeholder, Citizen, Freeman, Burgess, or Person, having, or claiming to have, a Right to vote or be polled at such Election, shall before he is admitted to poll at the same Election take the following Oath, (or being of the people called Quakers, shall make the solemn Affirmation appointed for Quakers) in case the same shall be demanded by either of the Candidates, or any two of the Electors: (that is to say)

I *A. B.* do Swear (or being of the People called Quakers, I *A. B.* do solemnly Affirm) I have not received or had by my self, or any Person whatsoever in Trust for me, or for my Use

Uſe and Benefit, or for the Uſe and Benefit of any of my Family or Kindred, to my Knowledge or Belief, directly or indirectly, any Sum or Sums of Money, Office, Place or Employment, Gift or Reward, or any Promiſe or Security for any Money, Office, Employment or Gift, in order to give my Vote at this Election, and that I have not before been polled at this Election.

And be it Enacted by the Authority aforeſaid, that the Officer or Officers preſiding at ſuch Elections, ſhall appoint a Juſtice of the Peace for the Purpoſe of adminiſtring the ſaid Oath or Affirmation in open Court, ſo as the Poll ſhall not be thereby retarded, and the ſaid Juſtice of the Peace ſhall, in the Preſence of four or more Perſons to be nominated by each Candidate, adminiſter the ſaid Oath to every Elector before ſuch Elector ſhall be admitted to poll, if the ſame ſhall be demanded as aforeſaid, and if the Officer or Officers preſiding at ſuch Election ſhall refuſe to appoint a Juſtice of the Peace for the Purpoſe aforeſaid, or if the ſaid Juſtice ſhall refuſe to adminiſter the ſame Gratis, if demanded as aforeſaid, ſuch Officer, or Juſtice of the Peace, ſhall forfeit Fifty Pounds to any Perſon that ſhall ſue

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for the same, to be recovered, together with full Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record in Dublin, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be admitted or allowed, and no Person shall be admitted to poll till he had taken and repeated the said Oath in a publick Manner, in case the same shall be demanded as aforesaid, before such Justice of the Peace as shall be deputed.

And be it further Enacted by the Authority aforesaid, that if any Sheriff, Mayor, Bailiff, or other returning Officer, shall admit any Person to be polled without taking such Oath or Affirmation, if demanded as aforesaid, such returning Officer shall forfeit the Sum of One hundred Pounds, to be recovered in Manner aforesaid, together with full Costs of Suit; and that if any Person shall vote or poll at such Election without having first taken the Oath, or if a Quaker having made his Affirmation, if demanded as aforesaid, such Person shall incur the same Penalty which the Officer is subject to for the Offence above mentioned.

And

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And be it further Enacted by the Authority aforesaid, That every Sheriff, Mayor, Bailiff, Seneschal, or other Person, being the returning Officer of any Member to serve in Parliament, shall immediately after the reading of the Writ or Precept for the Election of such Member, take and subscribe the following Oath:

I *A. B.* do solemnly Swear, that I have not directly or indirectly received any Sum or Sums of Money, Office, Place, or Employments, Gratuity, or Reward, or any Bond, Bill or Note, or any Promise, or Gratuity whatsoever, either by myself or any other Person to my Use, or Benefit, or Advantage, or to the Use, Benefit, or Advantage of any of my Family or Kindred, or to my Knowledge or Belief, for making any Return at the present Election of Members to serve in Parliament, and that I will return such Person or Persons as shall, to the best of my Judgment, appear to me to have the Majority of legal Votes.

Which Oath any Justice or Justices of the Peace of the said County, City, Corporation, or Borough, where such Election shall be made, or in his or their Absence, any three of the Electors are thereby required and authorized to administer, and

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such Oath so taken shall be entered among the Records of the Sessions of such County, City, Corporation, and Borough as aforesaid.

And whereas the Laws now in Force relating to the Electing of Members to serve in Parliament for the several Boroughs in this Kingdom, where the Right of voting is vested in the Protestant Inhabitants in general of such Boroughs, have by Experience been found very defective, and thereby Elections in some of such Boroughs have been protracted to an unreasonable Length of Time, to the great Detriment of both Candidates and Electors: For Remedy whereof, be it Enacted by the Authority aforesaid, That no Person whatsoever, shall after the First Day of May next be admitted to vote on any Election, for any Member or Members to serve in Parliament for any Borough in this Kingdom, where the Right of voting is vested in the Protestant Inhabitants in general, until such Persons so tendering his Vote in Case of any Objection made thereto by any of the Candidates or their Agents, shall take the following Oath, or, if a Quaker, Affirmation: That is to say:

I *A. B.*

I *A. B.* do ſwear, or if a Quaker, do Affirm, that I am an Inhabitant of —— (**here naming the place where ſuch Election is**) and have been ſo for theſe Six Months laſt paſt, and that I am not, nor have not within theſe Six Months laſt paſt, been an Inmate or Lodger, with any other Perſon in ſaid Borough, but have paid the uſual Taxes and Ceſſes in ſaid Borough as an Houſeholder, and that I did not come to reſide in ſaid Borough ſince the preſent Vacancy happened, and that I am not a Papiſt, nor married to a Papiſt, and do not educate, or ſuffer to be educated, any of my Children in the Popiſh Religion.

Which Oath or Affirmation the Seneſchal or returning Officer of ſuch Borough is hereby impowered and directed to adminiſter to ſuch Voter, at the Requeſt of any of the Candidates or their Agents, and on ſuch Voter ſo taking the ſaid Oath, (or, if a Quaker, the ſaid Affirmation) then, and not before, the ſaid Seneſchal, or returning Officer, ſhall take down ſuch Vote, and the ſaid Oath or) Affirmation if a Quaker) ſhall be final and concluſive to the ſaid Seneſchal, or returning Officer, of ſuch Borough, and every ſuch Voter ſhall not be liable to any further Scrutiny or Examination whatſoever,

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soever before such Seneschal, or returning Officer, on any such Election.

And be it further Enacted by the Authority aforesaid, That if any returning Officer, Elector, or Person taking the Oath or Affirmation herein before mentioned, shall be guilty of wilful and corrupt Perjury, or of false Affirming, and be thereof convicted by due course of Law, shall incur and suffer the Pains and Penalties, which by Law are enacted and inflicted in Cases of wilful and corrupt Perjury.

And be it Enacted by the Authority aforesaid, That no Person convicted of wilful and corrupt Perjury, or Subordination of Perjury, shall after such Conviction be capable of voting in any Election of any Member or Members to serve in Parliament.

And be it further Enacted by the Authority aforesaid, That if any Person who hath, or claimeth to have, or hereafter shall have, or claim to have, any Right to vote in any such Election, shall from and after the said first Day of June, which shall be in the Year of Our Lord One thousand seven hundred and sixty four, ask, receive,

receive, or take any Money or other Reward, by way of Gift, Loan, or other Device, or agree or contract for any Money, Gift, Office, Imployment, or other Reward whatsoever, for himself or any of his Family or Kindred, to give his Vote, or to refuse or forbear to give his Vote, in any such Election, or if any Person by himself, or any Person Employed by him, doth or shall by any Gift or Reward, or by any Promise, or Agreement, or Security, for any Gift or Reward, corrupt or procure any Person or Persons to give his or their Vote or Votes, or to forbear to give his or their Vote or Votes in any such Election, such Person so offending in any of the Cases aforesaid, shall, for every such Offence, Forfeit the Sum of Five hundred Pounds Sterling, to be recovered as before directed, together with full Costs of Suit; and every Person offending in any of the Cases aforesaid, from and after Judgment obtained against him in any such Action of Debt, Bill, Plaint, or Information, or Summary Action or Prosecution, or being any otherwise lawfully convicted thereof, shall for ever be disabled to vote in any Election of any Member or Members to Parliament, and also shall for ever be disabled to hold, exercise, or enjoy any Of-

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fice or Franchise, to which he or they then shall, or at any Time afterwards may, be intitled as Member of any City, Borough, or Town Corporate, as if such Person was naturally dead.

And be it further Enacted by the Authority aforesaid, That if any Person who hath or claimeth to have, or hereafter shall have or claim to have, any Right to vote in any Election for Magistrates in any City or Town Corporate in this Kingdom, shall from and after the First Day of June, which shall be in the Year One thousand seven hundred and sixty four, ask, receive, or take any Money or other Reward, by way of Gift, Loan, or other Device, or agree or contract for any Money, Gift, Office, Employment, or other Reward whatsoever, for himself or any of his Family or Kindred, to give his Vote, or to refuse or forbear to give his Vote in any such Election, or if any Person by himself, or any Person employed by him, doth or shall by any Gift or Reward, or by any Promise, or Agreement, or Security for any Gift or Reward, corrupt or procure any Person or Persons to give his or their Vote or Votes, or to forbear to give his or their Vote or Votes in

in any such Election, such Person offending in any of the cases aforesaid, shall, for every such Offence, forfeit the Sum of fifty Pounds Sterling, to be recovered as before directed, together with full Costs of Suit; and every Person offending in any of the Cases aforesaid, from and after Judgment obtained against him in any such Action of Debt, Bill, Plaint, or Information, or Summary Action, or Prosecution, or being any otherwise lawfully convicted thereof, shall for ever be disabled to vote in any Election, and also shall for ever be disabled to hold, exercise, or enjoy, any Office or Franchise, to which he, or they, then shall, or at any Time afterwards may, be intitled, as a Member of any City, Borough, or Town Corporate, as if such Person was naturally dead.

And for the more effectual observance of this Act, be it Enacted by the Authority aforesaid, That all and every the Sheriffs, Mayors, and other Officers, to whom the Execution of any Writ, or Precept, for electing any Member or Members to serve in Parliament, shall belong or appertain, shall and are hereby required at the Time of such Election, immediately after the reading such Writ or Precept, read or cause

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to be read openly, before the Electors there assembled, this present Act and every clause therein contained, and the same shall also openly be read once in every Year, at the Lent Assizes to be held in every County, County of a City, or County of a Town, and at the General Quarter Sessions of the Peace, to be holden next after Easter for the City of Dublin, and at every Election of the Chief Magistrate in any City, Borough, or Town Corporate.

And be it further Enacted by the Authority aforesaid, That every Sheriff, under Sheriff, Mayor, and other Officer, to whom the Execution of any Writ or Precept, for the electing of Members to serve in Parliament, doth belong, for every wilful Offence contrary to this Act, shall Forfeit the Sum of Five hundred Pounds, to be recovered, together with full Costs of Suit in the Manner before directed.

Provided allways, and be it hereby declared and enacted by the Authority aforesaid, That no Person should be made liable to any Incapacity, Disability, Forfeiture, or Penalty by this Act laid, or imposed, unless Prosecu-

tion

tion be commenced within Two Years after such Incapacity, Disability, Forfeiture, or Penalty shall be incurred, or in case of a Prosecution, the same shall be carried on without wilful Delay; any Thing herein contained to the contrary notwithstanding.

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AN

ACT

FOR

Directing the Application of the Sum of Eight thouſand Pounds granted to the *Dublin Society*, for the Encouragement of ſuch Trades and Manufactures as ſhould be directed by Parliament.

GIII. R.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

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AN

ACT

FOR

Directing the Application of the Sum of Eight thouſand Pounds granted to the *Dublin Society*, for the Encouragement of ſuch Trades and Manufactures as ſhould be directed by Parliament.

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WHEREAS by an Act made this Seſſion, intituled, an Act for granting and continuing to His Majeſty, an additional Duty on the ſeveral Goods and Merchantdizes therein mentioned: It is among

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other Things Enacted, That the Sum of Eight thouſand Pounds ſhould be paid to the Dublin Society, for the Encouragement of ſuch Trades and Manufactures as ſhould be directed by Parliament: In order therefore to direct and regulate the Application of the ſaid Sum, be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in the preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Dublin Society to diſpoſe of the ſaid Sum of Eight thouſand Pounds for the Purpoſes, and in the Manner herein after mentioned: (that is to ſay) for the Encouragement of the Silk, Woollen, Iron or Steel, Copper or Braſs, Paper, Glaſs, and Earthen-Ware Manufactures, and alſo of making of Optick Glaſſes, and alſo of the Leather Manufacture, and of the Manufacture of Printing, Stamping, and Staining of Linens, or Cottons, and of the Manufacture of cutting of Flints, and alſo of the Brewing Trade.

And be it Enacted by the Authority aforeſaid, That the ſaid Dublin Society,

ciety, shall on some Day previous to the Twenty fourth Day of June, One Thousand seven hundred and sixty four, resolve and determine how much of the said Sum of Eight thousand Pounds shall be applied for the Encouragement of each of the said respective Manufactures, and shall cause such Resolution to be entered in their Books, and published in the Dublin Gazette.

And be it Enacted by the Authority aforesaid, That the said Dublin Society, shall on or before the Tenth Day of December, One thousand seven hundred and sixty four, regulate and settle in what Manner the respective Sums, which shall be so allotted as aforesaid, for the Encouragement of the said respective Manufactures, shall be paid and distributed, and shall cause such Resolution to be entered in their Books, and published in the Dublin Gazette: Provided always that no Person shall be capable of receiving any Part of the said Sums, for any Goods which shall not be manufactured or made subsequent to the First Day of June, One thousand seven hundred and sixty four: Provided also, that such Distribution so to be made, shall be made according to the Quantity and Quality of the Goods so to be manufactured.

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And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Dublin Society, to make such Orders and Regulations for examining the Quantity and Quality of such Goods, for which any Premiums shall be demanded, as they shall judge most expedient for the publick Service, and most likely to prevent any Frauds in the Person or Persons who shall claim to be intitled to such Premiums; and in Case any Dispute shall arise touching the Right of any Person or Persons to such Premium, the Dublin Society shall finally determine the same.

AN

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AN

ACT

FOR

Veſting further Powers in the Lord Mayor, Sheriffs, Commons, and Citizens of the City of *Dublin*, for the ſecuring of Ships trading to the Port and Harbour of *Dublin*.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

AN

ACT

FOR

Veſting further Powers in the Lord Mayor, Sheriffs, Commons, and Citizens of the City of *Dublin*, for the ſecuring of Ships trading to the Port and Harbour of *Dublin*.

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WHEREAS by an Act paſſed in this Kingdom in the Sixth Year of the Reign of Her late Majeſty Queen Ann, intituled, An Act for cleanſing the Port, Harbour, and River of *Dublin*, and for erecting

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a Ballaſt-office within the ſaid City, the Lord Mayor, Sheriffs, Commons, and Citizens of the ſaid City, are conſtituted and ordained Keepers and Conſervators of the Port of Dublin: And whereas no effectual Proviſion hath been made by the ſaid Act for preventing the many and great Loſſes happening from the Want of skilful Pilots to take charge of Ships trading to the ſaid Port, and from the Want of Haven-maſters to regulate the placing of ſuch Ships or Veſſels as are therein, nor for preventing the Frauds and Abuſes committed by Perſons employed in Lighters within the ſaid Port; For remedy whereof, be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of May One thouſand ſeven hundred and ſixty four, it ſhall and may be lawful to and for the Lord Mayor, Sheriffs, Commons, and Citizens of the City of Dublin, and they are hereby impowered from Time to Time, and in the Manner herein directed, to licence and appoint, during their Will and Pleaſure, any Number of skilful Pilots

lots not exceeding Fifty in the whole, for the Purpose aforesaid, at and under such yearly Wages and Salaries as shall be ascertained in the Manner herein after directed; and that the Lord Mayor, Sheriffs, Commons, and Citizens may, and they are hereby also impowered to, appoint and authorize, in the Manner herein after directed, proper Persons not more than Two as Haven-masters in the Harbour of Dublin, who shall continue in their said Office during the Will and Pleasure of the said Lord Mayor, Sheriffs, Commons, and Citizens, at and under Yearly Wages and Salaries, to be ascertained as herein after directed, and who shall, as the Duty and Business for which such Salaries are to be paid, take care that Buoys and floating Perches, shall be placed and constantly kept up on the North and South Ends of the Bank called the Kish, and on the Codling Patch, and on the Banks called the North Grounds, for the better direction and security of Navigation to and from the said Harbour, and shall also regulate and station the trading Ships, Vessels, and Lighters, within the said Harbour.

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And

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And for the better enabling them so to regulate the same, be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Haven-masters or either of them, to order and cause to be placed, or removed, Ships or Vessels within the said Harbour, where such Ships or Vessels can more conveniently moor or lye, or ought to lye; and in case any Master or Owner of such Ship or Vessel, shall refuse removing as aforesaid, and continue so to do after receiving such Order from the said Haven-masters, or either of them, for the Space of Twelve Hours next after receiving such Order, then and in that case it shall and may be lawful for the said Haven-masters, or either of them, to hire and employ proper persons to remove such Ship or Vessel, to such part or Place in the said Harbour, as the said Haven-masters, or either of them shall appoint, and that the Expence or Hire of such persons so employed in the said Service, shall be paid and born by the Master or Owner of said Ship or Vessel, together with a Sum not exceeding Five Pounds, as a Fine or Penalty for such Neglect or Refusal, the said Charges and Penalty to be recovered as herein after directed,

directed, and paid before any Clearance or Discharge shall be allowed or granted for such Ship or Vessel; and also that the said Haven-masters, or either of them, shall and may be impowered in cases of urgent Necessity, and for preventing the Loss of any Ship or Vessel, to cut the Rope or Cable of any other Ship or Vessel lying within the said Port or Harbour of Dublin, (not being any of His Majesty's Ships of War) which may obstruct the Navigation or endanger the Safety of any other Vessel. CHAP. XV.

And be it Enacted by the Authority aforesaid, That if the said Haven-masters, or either of them, or any other Person or Persons duly licenced and authorized in pursuance of this Act, shall be obstructed in his Duty or Business by any Person or Persons, such Person or Persons so obstructing the said Officers or licenced Persons, shall severally pay for such Offence or Offences, and so often as such Offence or Offences shall be by them committed, any Sum not exceeding the Sum of Five Pounds Sterling, to be paid by each Party proved guilty of the same, and to be recovered and levyed as herein after directed.

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And be it Enacted by the Authority aforesaid, That it shall be deemed Felony in any Person or Persons, except those who may be lawfully impowered for that Purpose, who shall wilfully cut away any Buoy or Buoy-Rope, from any Anchor in the Harbour, or cast loose or cut away any Ship, Lighter, Vessel, or Wherry from their Moorings, or deface, cut, or take away any Floating Buoy, or Perch, or known Sea Mark.

And be it further Enacted by the Authority aforesaid, That the Masters or Owners of each and every trading Ship or Vessel laden with, or carrying Merchandize coming to, or going from the said Harbour of Dublin (except such as may be laden with Coals or Corn trading Coast-ways) shall be obliged to receive and take on Board such Ship or Vessel, a Pilot licensed as such, in Pursuance of this Act, and for each and every such Ship and Vessel, the Master or Owner thereof shall pay, or cause to be paid to the Ballast Master of the Ballast Office of the Port of Dublin for the Purposes of this Act at and after the Rate or Rates following: For all Foreign Ships, the Sum of two Shillings per Foot, for Pilotage

over

over the Barr, and the Sum of One Shilling per Foot, for Pilotage from Poolbegg to the Quays; for Britiſh Ships, the Sum of One Shilling per Foot, for Pilotage over the Barr, and the Sum of Sixpence per Foot, for Pilotage from Poolbegg to the Quays; the ſame Rates to be paid for Pilotage outwards: But in caſe any Ship coming in, or going out, ſhall not be obliged to come to an Anchor in Poolbegg, or below Ring's-End, and ſhall not remain there longer than Twenty four Hours, then no more Pilotage to be paid then the Rates aforeſaid, of two Shillings per Foot for Foreign Ships, and One Shilling per Foot for Britiſh Ships.

And for the further promoting and better effecting the good Ends and Purpoſes intended by this Act; be it Enacted by the Authority aforeſaid, That from and after the firſt Day of May, One thouſand ſeven hundred and ſixty four, the following Rates and Duties, over and above thoſe now payable to the Ballaſt-Office may be demanded and received from the Maſters or Owners of every foreign Ship or Veſſel, or ſuch as ſhall not belong to any of his Majeſty's Subjects in Great Britain, Ireland, or the

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Plantations; (that is to say) the Sum of Two-pence for each and every Tun of such Ship or Vessel's Burthen, and on every Voyage which such Ship or Vessel shall make to the said Harbour of Dublin, and that for every Ship or Vessel belonging to any of His Majesty's Subjects which shall arrive from foreign Parts (except Great Britain) there shall be demanded and paid the Sum of one Penny for each and every Tun of such Ship or Vessel's Burthen, and on each Voyage made to the said Harbour of Dublin, and that for every Ship or Vessel arriving in the said Harbour from Great Britain, or trading Coast-ways and laden with Merchants Goods, there shall be demanded and paid the Sum of One Half-penny, for each and every Tun of such Ship or Vessel's Burthen, the said Rates or Duties to be paid on each and every Voyage that such or any Ship or Vessel as aforesaid shall make to the said Harbour of Dublin, and the Burthen of all such Ships or Vessels shall be deemed and taken according to the Measurement chargeable thereon by the Ballast-Office of the City of Dublin (except for Ships or Vessels laden with Corn or Coals, or the greatest Part of their Cargoes Corn or Coals) every such trading Ship

Ship or Veſſel to be free on paying the Sum of One Penny for each and every Tun of ſuch Ship or Veſſel's Burthen once a Year only: Provided that in Caſe any Ship or Veſſel uſing the Corn or Coal Trade, ſhall at any Time bring other Goods or Merchandizes, or the greateſt Part of the Cargo being of ſuch other Goods or Merchandize; that then and in ſuch Caſe the ſaid Ship or Veſſel ſhall be chargeable with the like Rate or Duty which the Ship or Veſſel would be obliged to pay had the ſame not uſed or followed the Corn or Coal Trade.

Provided allways, That no Coaſting Veſſel, Boat, or Wherry, ſhall be chargeable with any of the Duties aforeſaid, which ſhall be under the Burthen of thirty Tuns.

And be it Enacted by the Authority aforeſaid, That it ſhall not be lawful to or for the Officers of his Majeſty's Revenue, or any of them, in the Port of Dublin, to clear and diſcharge any Ship or Veſſel outward bound, or to permit any Ship or Veſſel to ſail until the Maſter or Owner thereof ſhall have brought a Diſcharge from the ſaid Ballaſt Maſter,

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testifying such Ship or Vessel to have been cleared and discharged, Which Discharge from the said Ballast Master shall be immediately granted, except there should be lawful Cause to the contrary; and in Case of Refusal or Delay then the said Ballast Master shall Forfeit the Sum of ten Pounds Sterling.

And be it Enacted by the Authority aforesaid, That the said Lord Mayor, Sheriffs, Commons, and Citizens, shall be, and they are hereby impowered to grant Licences to such Lightermen or Owners of Lighters or Vessels above the Burthen of ten Tuns as shall be employed to carry Goods or Merchandize to or from any Ships or Vessels in the said Harbour of Dublin: Provided the Owners of such Lighters or Vessels for this Purpose shall have entered into Security or Securities, in the Sum of two hundred Pounds before the Lord Mayor of the City, and conditioned to keep up their said Lighters or Vessels in good Order and Condition, and to abide and be determined by such reasonable and accustomed Rates for Freight or Carriage of Goods within the said Harbour as by the Committee herein after-

after-mentioned, and hereby constituted, may be fixed and agreed upon at the granting of such Licence or Licences; and that if any Lighter or Vessel above the Burthen of ten Tuns as aforesaid shall be found laden with Goods or Merchandize within the said Harbour, and that shall not be so licenced, or that the Owners of such Lighters or Vessels shall refuse to enter into Security and perform the Requisites enjoyned by this Act as aforesaid, that then and for every such Offence the Owner or Master of such Lighter or Vessel shall forfeit the Sum of five Pounds Sterling, to be recovered in a Summary Way before the Chief Magistrate of the said City of Dublin, to be levyed on his Warrant by Distress and by Sale of the Offenders Goods and Chattles. CHAP. XV.

And be it further Enacted by the Authority aforesaid, That all and every the Sum and Sums of Money arising, growing due, or levyed from Time to Time by Force and Virtue of this Act, whether by Way of Rates, Duties, Forfeitures, or otherwise, shall be paid to the said Ballast Master of the Ballast Office of the Port of Dublin, to be issued out by him from Time to Time for the Purposes of this

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Act; and in Caſe there ſhall be any Overplus remaining after all incident Charges, Salaries and neceſſary Expences attending the Execution thereof ſhall be anſwered, the ſame ſhall be applied towards carrying on the South Wall, commonly called the Ballaſt Office Wall, in the Harbour of Dublin.

Provided allways, that the ſaid Lord Mayor, Sheriffs, Commons, and Citizens, ſhall once in every three Years lay before the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, and the Privy Council of the ſame, ſuch true and perfect Account of the Receipts and Application of the ſeveral Sums of Money paid and received in purſuance of this Act, as they the ſaid Lord Mayor, Sheriffs, Commons, and Citizens, are required to do by the ſaid recited Act of the ſixth of Queen Ann, touching the Monies ariſing by Force of the ſaid laſt mentioned Act, and under the like Penalty for Default thereof.

And for the more convenient and conſtant Management and tranſacting of the ſeveral Matters neceſſary for the carrying into Execution the good Purpoſes intended

intended by this Act; be it enacted by the Authority aforesaid, That within ten Days after the first Day of May, in the Year One thousand seven hundred and sixty four, the Lord Mayor of the City of Dublin, shall in the usual Manner convene an Assembly or Common Council of the said City, and the Master or Masters of the Guild or Corporation, commonly called the Guild of Merchants of the said City, shall also at some convenient Time within the said ten Days, by publick Notice to be given for that Purpose in the Dublin Gazette, convene at the common Hall of the said Guild an Assembly of such of the Members thereof, as shall as Merchants have at the Time of holding such Assembly the Allowance of six and ten per Cent. at the Custom-house, and at the said respective Assemblies of the said Common Council, and of such Freemen of the Guild of Merchants so qualified as aforesaid, five Persons shall be elected by the Board of Aldermen, or the usual Quorum of them from among such of the Aldermen as shall at the Time of such Election have, and be intitled to the said Allowance; and the Commons of the said Common Council, or the usual Quorum of them,

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shall also elect ten Persons from among such of their Body, as shall at the Time of such Election be in like Manner qualified; and the said Freemen of the Guild of Merchants, not being less in Number than thirty Persons then present, shall elect fifteen Persons from among such of their Body as not being then of the Board of Aldermen, nor of the Commons of the Common Council, shall at the Time of such Election have, and for three Years next before shall have continued to have the Benefit of the said Allowance, which said five, ten, and fifteen Persons, so to be respectively elected, shall together with the Lord Mayor, and Sheriffs of the said City for the Time being, be and are hereby constituted a Committee for the Purpose herein mentioned, and shall continue so to be until the third Day after the first General Quarterly Assembly of the Common Council of the said City, which shall be held in the Year One thousand seven hundred and sixty six, at which General Assembly of the said City, the Lord Mayor and Board of Aldermen, or the usual Quorum of them, and the Sheriffs and Commons of the said Common Council, or the usual Quorum of them, shall respectively elect to be of the said Committee

Committee so many and such Persons so as aforesaid qualified as they are herein before respectively impowered and directed to elect for that Purpose and on the Day next immediately following the Day on which the said General Assembly of the said City shall be held, such Freemen of the said Guild of Merchants, so as aforesaid qualified, for having the Benefit of the said Allowance, shall be convened by the Master or Masters of the said Guild, and being so assembled and convened and being in Number not less than thirty, shall Elect to be of the said Committee so many and such Persons so as aforesaid qualified, as they are herein before impowered and directed to elect for that Purpose, which said several Persons so to be elected respectively by the Lord Mayor and Aldermen by the Sheriffs and Commons, and by the said Freemen of the Guild of Merchants, shall together with the said Lord Mayor, and Sheriffs for the Time being, be a Committee for the Purposes herein mentioned, shall continue so to be for three Years next immediately following their said Election, and the said Committee shall by the same Manner of Election be renewed from three Years to three Years

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for ever hereafter, the Lord Mayor and Sheriffs of the said City being allways Members thereof; and whenever any Vacancy shall happen between the Times herein before appointed for the General Election of the Members of the said Committee by the Death of any such Member or by his refusing to be or to continue a Member, then and so often as the Case shall happen, and within fourteen Days after it shall so happen, that Body or Class of Electors who shall have elected the Member by whose Death or Refusal such Vacancy shall be occasioned, shall for the filling up of the same Elect in the Manner herein before directed, some other Person duly qualified as aforesaid, seven Days notice being previously given in the Dublin Gazette, of the Time of such Election.

And to the End that none but such as shall be duly qualified shall be appointed Pilots or Haven-masters or be licenced as Lightermen in pursuance of this Act: Be it Enacted by the Authority aforesaid, That all and every the Persons so hereafter to be appointed, or licensed, shall previous to such appointment, or to the granting of such Licence, and in Order thereto

thereto be severally nominated by the said Committee to the Lord Mayor of the said City, who is hereby impowered and required within Seven Days after every such Nomination so made and returned to him, to make out or cause to be made out a due Appointment or Licence, under the City Seal according to such Nomination, unless within the said Seven Days Complaint shall be made to him in Writing, under the Hands of any two or more Members of the said Committee, that any such Nomination had not been duly and regularly made by the said Committee, as not having been made by a Competent Number of the Members thereof, or upon due Notice given, and when, and as often as any such Complaint shall be made the said Lord Mayor shall, within Seven Days after he shall receive the same, convene an Assembly of the Common Council of the said City, who sitting together in one Room for this Purpose, shall hear and determine the Matter of such Complaint, and if the same shall not appear to them to be duly proved, they are hereby required to confirm the Nomination so complained of, and to make an Appointment or grant a Licence accordingly: And the said Committee are hereby further impowered to fix

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and aſcertain the yearly Sallaries to be paid to ſuch Pilots and Haven-maſters reſpectively, not exceeding the yearly Sum of Forty Shillings for each Pilot, and Sixty Pounds for each Haven-maſter, and to order and direct to be paid to any Pilot or Pilots, who ſhall actually Pilot any Ship or Ships into or out of the ſaid Harbour of Dublin, ſuch Sum or Sums as according to the Rates herein before limitted and appointted to be paid for the piloting of Ships, ſhall appear to be due and payable to him or them for ſuch actual Pilotage, and may over and above the yearly Sallaries ſo to be aſcertained for each Pilot, over and above the Sums to be paid for ſuch actual Pilotage as aforeſaid, order and direct any further Sum or Sums to be paid as a Reward or Rewards to any Pilot or Pilots, for any extraordinary Service or Services done by him or them, ſo as the Sum or Sums ſo ordered to be paid for ſuch extraordinary Services do not in the whole exceed the Sum of Fifty Pounds in any one Year; and that the ſaid Committee may aſcertain, order, and direct to be paid out of the Monies ariſing by this Act, to any Seaman or Seamen, Perſon or Perſons, who not then acting as a licenſed Pilot or Pilots, ſhall in

in Time of Diſtreſs, aid, aſſiſt, or take Charge of any Ship or Veſſel bound into, or out of the ſaid Harbour of Dublin, any Sum not exceeding Five Pounds, as an extraordinary Reward, over and above any Sum which ſuch Seaman or Seamen, Perſon or Perſons, may be otherwiſe by Law intitled to receive; and the ſaid Committee are hereby alſo impowered from Time to Time to make ſuch Orders and Regulations as to them ſhall ſeem fit and neceſſary, to be obſerved by all ſuch Pilots, Haven-maſters, and Lightermen, for the carrying on and promoting the Purpoſes intended by this Act, and may for the enforcing the Obſervance of all ſuch Orders and Regulations, annex reaſonable Penalties to the Breach thereof, to be ſpecified in ſuch Orders or Regulations, not exceeding the Sum of Five Pounds for each Offence, and may alſo for juſt Cauſe ſhewn to them, upon complaint made of any Neglect or Misbehaviour in any ſuch Pilot, Haven-maſter, or Lighterman, touching the Duty or Buſineſs of his ſaid Employment, ſuſpend or remove from his ſaid Employment the Perſon ſo offending, and may appoint ſome other fit Perſon to act in his Place, who is hereby authorized ſo to do, until a due Appointment ſhall be

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made pursuant to the Direction of this Act: And for the transacting of the several Matters aforesaid, the said Committee shall meet at some convenient fixed Place within the City of Dublin, on some certain Day and Hour, once in every Fortnight, or oftner if necessary, Three Days Notice being given of such extraordinary Meeting by the Lord Mayor in the Dublin Gazette, which Notice he is hereby required to give, or cause to be given, upon any Application made to him for that Purpose in Writing under the Hands of any Three or more of the said Committee, and the said Ballast-master of the Ballast Office, is hereby impowered and required from Time to Time, upon the Order of the said Committee, to issue and pay out of the Monies to be raised and levyed by virtue of this Act, such Sum or Sums as shall from Time to Time be necessary for carrying into Execution the Purposes thereof, and also such further Sum or Sums as shall be wanting for the necessary Expences attending the Meetings of the said Committee, for the convenient carrying on and transacting of their Business, so as such further Sums so to be issued and paid do not in any one Year exceed the Sum of One hundred Pounds in the Whole.

Provided

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Provided allways, That all Meetings of the said Committee, to be had or held in pursuance of this Act, any Number of Members present not being less than Seventeen, shall be a Number sufficient for ordering, management, and transacting of all Matters relative to the nominating and displacing of Haven-masters, Pilots, and Lightermen, and to the making of Orders and Regulations for the Direction of their Conduct, and to the making or issuing Orders for the Payment of Money; and that a Number, not less than Eleven, shall be sufficient for all other their more ordinary Business, and that all and every such Meeting or Meetings, the Lord Mayor when present shall preside, and in case of his Absence, the Members then present being a Number competent for the Business then to be transacted, shall appoint a President for that Time.

And be it further Enacted by the Authority aforesaid, That all Penalties imposed by this Act, and which shall be imposed in pursuance of any Power or Authority thereby given, shall and may be recovered in a Summary Way before the Lord Mayor of the said City, and levied

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on his Warrant by Diſtreſs and Sale of the Goods of the Offender, and that this Act ſhall be deemed and taken to be a publick Act, and ſhall be taken Notice of as ſuch by all Courts of Law and Equity within this Kingdom, without being ſpecially pleaded, and that the Expences of paſſing the ſame, ſhall be paid out of the firſt Monies to be raiſed in virtue thereof; and if any Action ſhall be brought, or Suit commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, or in relation to the Premiſſes, or any of them, every ſuch Action ſhall be laid or brought within Three Months.

Provided allways, That nothing herein contained ſhall extend, or be conſtrued to extend, to the taking away or leſſening any Right, Power, or Authority whatever now legally veſted, by virtue of the ſaid herein before recited Act, or otherwiſe in the Lord Mayor, Sheriffs, Commons, and Citizens of the City of Dublin, or in any Officer duly authorized by them.

And whereas by the ſaid recited Act, the ſaid Lord Mayor, Sheriffs, Commons, and Citizens, are impowered to make ſuch Orders

Orders, Rules, and by Laws, for the securing of all Ships which shall come into the said Port, as shall from Time to Time be approved, ratified, and confirmed, by the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, and Six or more of the Privy Council of the same: Be it Enacted by the Authority aforesaid, That the Penalties to be imposed by any by Law, or by Laws, which shall hereafter be made by virtue or in pursuance of the said recited Act, and with the Approbation thereby required, where such Penalties shall not exceed the Sum of Ten Pounds for each Offence, shall and may be sued for and recovered by Civil Bill, to be brought in the Name of the Ballast Master of the Ballast Office of the said City, before any Judge or Judges, or in any Court having Jurisdiction, to hear and determine Civil Bills for the County, City, or County of a City, within which any such Offence shall have been committed, and that all Sums and Penalties so to be recovered, shall be applied to the Purposes of the said recited Act.

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AN

ACT

FOR

Continuing and Amending ſeveral Temporary Statutes, and for other Purpoſes therein mentioned.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN ACT FOR

Continuing and Amending ſeveral Temporary Statutes, and for other Purpoſes therein mentioned.

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WHEREAS an Act paſſed in the Thirty firſt Year of His late Majeſty King George the Second, intituled, An Act for the better ſupplying the City of *Dublin* with Coals, and for the better Encouragement of the Collieries of

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this Kingdom: And whereas it was Enacted that the said Act should continue in Force until the First Day of May, which will be in the Year of our Lord One thousand seven hundred and sixty six, and from thence to the end of the then next Session of Parliament: And whereas it is thought Convenient that the said Act be further continued: Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That the said Act shall be further continued in full Force until the First Day of May, which shall be in the Year of our Lord One thousand seven hundred and seventy four, and from thence to the end of the then next Session of Parliament.

And be it further Enacted by the Authority aforesaid, That whereas an Act passed in the First Year of the Reign of His late Majesty King George the Second intituled, an Act for the more easy Recovery of Tythes, and other Ecclesiastical Dues of small Value, which said Act was revived and continued by an Act made in the Fifth Year of His late Majesty, intituled, an Act for

for continuing ſeveral Temporary Statutes made in this Kingdom, and now near expiring, and for the Amendments of the Statutes therein mentioned, **and was further continued by another Act made in the Seventh Year of His late Majeſty, intituled,** for continuing ſeveral Temporay Statutes, and for other Purpoſes therein mentioned, **until the Twenty fifth of** March **One thouſand ſeven hundred and forty, and from thence to the End of the then next Seſſion of Parliament:**

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And forasmuch as the ſaid Acts of the Firſt and Fifth Years of His late Majeſty, ſo far as they relate to the Recovery of Tythes and other Eccleſiaſtical Dues of ſmall Value, were continued by an other Act made in the fifteenth Year of His late Majeſty, further continued for Eleven Years from the Twenty fifth Day of March **One thouſand ſeven hundred and forty two, and from thence to the End of the then next Seſſion of Parliament: And whereas the ſaid recited Acts were by an Act of the Twenty fifth Year of His late Majeſty, intituled,** an Act for continuing ſeveral Temporary Statutes **now near expiring, continued for the Term of Eleven Years from the Twenty fifth Day of** March **One thouſand ſeven hundred and**

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Fifty three, and from thence to the End of the then next Session of Parliament:

And Whereas it is thought expedient that the said Acts should be continued: Be it Enacted by the Authority aforesaid, That the said recited Acts, made in the First, Fifth and Seventh Years of His late Majesty, and all and every of the Clauses, Artitles, and Provisoes therein contained, so far as they relate to the Recovery of Tythes, and other Ecclesiastical Dues of small Value, shall be continued in full Force for the Term of Eleven Years from the Twenty fifth Day of March One thousand seven hundred and sixty four, and from thence to the end of the then next Session of Parliament:

And Whereas by an Act passed in the First Year of His present Majesty's Reign, intituled, an Act for the reviving, continuing and amending several Temporary Statutes, and for other Purposes therein mentioned, Two Clauses relating to Colliers, Miners, Carmen, and Buyers of Coal, were by the said recited Act Enacted, and by a Proviso in the said Act it was Enacted, that the said Two Clauses should continue to the First Day of May, One thousand seven hundred and sixty four, and to the End of the then next Session of Parliament.

And

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And whereas it is expedient that the said two Clauses should be continued: Be it Enacted by the Authority aforesaid, That the said Two Clauses, and so much of said Act as relate to Colliers, Miners, Carmen, and Buyers of Coals, shall be continued in full Force to the First Day of May, which will be in the Year of our Lord, One thousand seven hundred and seventy six, and from thence to the End of the then next Session of Parliament.

And whereas by an Act of Parliament, made in the Thirty third Year of the Reign of His late Majesty King George the Second, intituled, an Act for the more effectual enlightening of the City of *Dublin*, and the Liberties thereof, and for the erecting of publick Lights in the other Cities, Towns Corporate, and Market-Towns in this Kingdom, it is Enacted, That a Sum of One thousand five hundred Pounds Sterling, shall be raised and levyed of the Inhabitants of the City of Dublin, to be applotted as in the said Act mentioned, and paid into the Hands of Sir Charles Burton, Baronet, and James Dunn, Esq; in Trust, to be by them applied as by the said Act is directed.

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And whereas the said recited part of the said Act relative to said sum of One thousand five hundred Pounds Sterling, requires some Amendments as the said Sum of One thousand five hundred Pounds Sterling could not be raised by Virtue of the said Recited Act, and almost the whole of the said Sum of One Thousand five hundred Pounds still remains due to the said Trustees: For Remedy whereof, be it Enacted by the Authority aforesaid, that the said Sir Charles Burton, and James Dunn, the Trustees in the said Act named or the Survivor of them, or the Executors, Administrators, or Assigns, of such Survivor, shall from and immediately after the passing of this Act, by Notice under their or any of their Hands, require the Lord Mayor of the City of Dublin, for the Time being, to Applot the said sum of One thousand five hundred Pounds Sterling, upon and amongst the several Parishes in the City of Dublin, and the Liberties thereof, within any Space of Time not less than Ten Days from the Day of the Service of such Notice

And

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And be it Enacted by the Authority aforesaid, That the said Lord Mayor of the City of Dublin, who shall be so served with such Notice, shall within the Time limitted by such Notice, or such further Time as shall be for that Purpose allowed by the said Trustees, applot the said Sum of One thousand five hundred Pounds Sterling, and such further Sum to be added thereto, not exceeding Six Pence in the Pound for the Expence and Trouble of collecting said Sum of One thousand five hundred Pounds, as the said Lord Mayor shall seem meet, upon, and amongst the several Parishes in the said City of Dublin, and the Liberties thereof, rateably and in Proportion to the the annual Sum, paid by each Parish in the said City of Dublin and the Liberties thereof, to the Ministers of such respective Parishes, or for Watch-money, or according to such Rule as has been usually followed in the Applotment of publick Charges upon the several Parishes in the said City of Dublin, and the Liberties thereof.

And be it further Enacted by the Authority aforesaid, That after such Applotment, the said Lord Mayor shall upon Demand of the said Trustees, or the Sur-

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vivor of them, or the Executors, Administrators or Assigns of such Survivor, or of some person duly authorized by them, or some of them, deliver a Copy of such Applotment by him the said Lord Mayor subscribed, and under the Seal of the said City of Dublin, to the said Trustees, or one of them, or the Survivor of them, or the Executors, Administrators, or Assigns, of such Survivor, or to such person as shall by them, or any of them, be duly authorized to Demand and receive the same.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or the Survivor of them, or the Executors, Administrators or Assigns of such Survivor, shall by notice in Writing by them, or the Survivor of them, or the Executors, Administrators or Assigns of such Survivor, subscribed at the Foot of true Copies of such Applotment so made by the said Lord Mayor, require the Church-Wardens for the Time being of the several and respective Parishes in the City of Dublin, and Liberties thereof, to applot and apportion the Sum, so by the Lord Mayor upon such respective Parishes applotted upon the several Inhabitants thereof, who are or shall be Subject to the Pay-

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Payment of Lamp Money within ſome certain Time in ſuch Notice to be ſpecified, not leſs than One Kalendar Month after the Service thereof.

And be it Enacted by the Authority aforeſaid, That the Church-Wardens of every of ſuch Pariſhes who ſhall be ſo ſerved as aforeſaid, or their Succeſſors, ſhall within the ſaid ſpace of Time or ſuch further ſpace of Time as the ſaid Truſtees may for that Purpoſe allow them by and with the Conſent of the reſt of the Pariſhioners of ſuch reſpective Pariſhes, or the greater Part of them in Veſtry aſſembled, and which the Miniſter of each reſpective Pariſh ſhall call, if ſuch Conſent ſhall be obtained, or if not, without ſuch conſent aſſeſs upon all and every the Inhabitants within ſuch reſpective Pariſhes ſuch Proportion of the Sum ſo by the Lord Mayor to be applotted upon ſuch reſpective Pariſhes as each of the ſaid Inhabitants ought to pay rateably and in Proportion to the Lamp Money, payable by each of the ſaid Inhabitants.

And be it Enacted by the Authority aforeſaid, That true Copies of ſuch reſpective Aſſeſſments ſigned and ſealed by

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them the Church-Wardens of the said respective Parishes, or their Successors, specifying the Proportion of the Sum so by the Lord Mayor to be applotted upon the said respective Parishes, which each Inhabitant thereof subject to the Payment of Lamp-Money ought to pay, shall after such respective Assessments shall be made, be returned, and delivered by the said respective Church-Wardens to the said Trustees, or the Survivor of them, or the Executors, Administrators, or Assigns of such Survivor, or to some Person or Persons by them or some of them by Writing under Hand and Seal duly Authorized to receive the same within six Days after demand shall be made thereof, either personally or by notice in Writing left at the Places of Abode of such Church-Wardens by the Person or Persons who shall be intitled to receive the same; and that in Default of such respective Church-Wardens making such Assessments or returning the same as aforesaid, that then and in such Case such Church-Wardens so making Default shall be answerable to the said Trustees, or the Survivor of them, or the Executors, Administrators or Assigns of such Survivor, for the Sum to be applotted by the said Lord Mayor upon the Parish

Parish of which they shall be Church-Wardens in an Action at the Suit of the said Trustees, or the Survivor of them, or the Executors, Administrators or Assigns of such Survivor against the said Church-Wardens as for so much Money had and received for their Use:

Be it further enacted by the Authority aforesaid, That after such Assessments made and returned in the said respective Parishes as aforesaid the several and respective Inhabitants thereof shall pay off, and discharge to such Person or Persons as shall by Writing by the said Trustees, or the Survivor of them, or the Executors, Administrators or Assigns of such Survivor, subscribed and sealed in the Presence of two or more credible Witnesses, be authorized to receive the same, such respective Sum and Sums of Money so to be applotted and assessed upon them as aforesaid, and in default of Payment thereof for the Space of seven Days after personal Demand thereof, or Demand in Writing by the Person or Persons so Authorized to collect the same left out at the Place of Abode within the said respective Parishes of such Person or Persons so assessed, that then and in such Case the

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said respective Sums of Money so to be assessed by the said Church Wardens shall be sued for and recovered from the said Inhabitants by the Person or Persons so by the said Trustees or the Survivor of them, or the Executors, Administrators or Assigns of such Survivor authorized to receive the same, in such Manner, and by such Ways and Means to all Intents and Purposes, as the Lamp-money now payable by the Inhabitants of the said City of Dublin, and the Liberties thereof, can by the said recited Act, be sued for and recovered by the Collectors thereof, or by any Person or Persons whatsoever, as amply as if the Parts of the said recited Act relative to the recovery of Lamp Money had been herein inserted, and the same Powers by express Words, vested in the Person and Persons so to be appointed by the said Trustees to collect the said Sums.

Provided allways, and be it Enacted by the Authority aforesaid, That said Trustees, and their Collector or Collectors, shall give Credit and Allowance out of the Sums so to be applotted to the respective Inhabitants of the said City of Dublin, and the Liberties thereof, for all such Sums

Sums as have been by them respectively, or the former Inhabitants of the same Houses, paid to the said Trustees under or in Compliance with the said recited Act. CHAP. XVI.

And whereas it frequently happens, that Water-Courses by which Cities are supplied with Water are permitted to run to Decay and are often obstructed to great Injury of the Inhabitants of such Cities: For Remedy whereof, be it Enacted by the Authority aforesaid, that the Mayor, Aldermen, and Representatives of every City in this Kingdom, for the Time being, except the City of Dublin, shall be Commissioners for preserving all Water-Courses, by which the respective Cities are supplied with Water, and they, or any three or more of them, shall have full Power and Authority to repair all such Water-Courses, and to remove all Obstructions in the same, and to take down any Bank or Dam which shall be made to divert the Water from the same, and to do all other Acts and Things which shall be necessary for making such Water-Courses effectual, for the Purposes of conveying Water to the said respective Cities: And it shall and may be lawful to and for the Grand Juries of the respective Cities, at

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the Assizes to present from Time to Time such Sum or Sums to be raised in their respective Cities, as shall be necessary for the keeping the respective Water-Courses in Repair, and for paying a Man, to superintend and take care of the same, so as the said Sums shall not exceed in any one Year the Sum of Twenty Pounds, the said Sums to be paid to the said Commissioners, or any five or more of them, and the Judges of Assizes shall confirm such Presentments in the same Manner as other Presentments of a like Nature are to be confirmed, and the Sums so presented shall be levied in the same Manner as other publick Money.

And be it Enacted by the Authority aforesaid, That from and after the first Day of May next, if any Person or Persons shall willfully do any Damage to such Water-Course, or obstruct the Passage of the Water therein, shall forfeit for every such Offence the Sum of five Pounds; to be recovered by any Person who shall sue for the same by civil Bill, upon Proof of the same by the Oath of one or more credible Witnesses, the whole of the Forfeiture to go to the Informer.

Provided

Provided allways, that nothing herein contained shall be construed to give the said Commissioners any Power to pull down any Mill-dam, or to impede the conveying of Water to any Mill now erected in such Manner as has been heretofore accustomed. CHAP. XVI.

Provided also, That if any Person shall be sued for any thing he shall do in pursuance of this Act, he may plead the General Issue, and give the special Matter in Evidence.

And whereas it is expedient that the Grand Jury of the County of Cork, shall have Power to present a greater Yearly Sum for the Treasurer of the said County, than they by the Laws now in Force are impowered to do, the said County being of large Extent, and requiring a Treasurer very conversant in Accounts and who can give Security for the large Sums Necessary to be raised in that County: Be it Enacted by the Authority aforesaid, That from and after the first Day of May One thousand seven hundred and sixty four, the Grand Jury at the Assizes to be held for the said County from Time

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to Time shall have Power, if they think fit, to make Presentments in the usual Manner for the raising any Sum not exceeding fifty Pounds a Year for the Treasurer of the said County for the Time being, over and above the Sums which the Grand Jury of the said County is impowered by the Laws now in Force to present for such Treasurer, and the Judges at such Assizes shall and may confirm the said Presentment.

And whereas several Persons have been named in Acts of Parliament, made in this Kingdom from Time to Time, as Governors or Trustees of several charitable Foundations: And whereas several other Persons upon the Death of Governors and Trustees, have been since elected Governors or Trustees of such Foundations in Pursuance of the Powers in the said Acts contained: And whereas several of the Trustees or Governors so named and elected are or may be prevented attending the Business of such Charitable Foundations, either by their Age, Infirmities, or other Affairs, whereby the Business relating to such Charitable Foundations may be greatly delayed, and the good Intents of the said Acts in a great Measure defeated,

defeated: And whereas it may be doubted whether such Governor, or Trustee, so incapitiated can resign such his Office, or whether the Corporation of which such Governor or Trustee is a Member can Elect another Governor or Trustee in the place of the Person so resigning: For Remedy whereof, be it Enacted by the Authority aforesaid, That from and after the First Day of June, One thousand seven hundred and sixty four, it shall and may be lawful to and for any of the Governors or Trustees named or elected heretofore, or hereafter to be elected or chosen under any of the said Acts, at any Corporate Meeting of such Governors or Trustees, whereof such Person is or shall be a Member, to surrender and make void, under his Hand and Seal, his Place or Office of Governor or Trustee of such Charitable Foundation, on giving Notice in Writing to the Governors of such Corporation, of which he is a Member corporately assembled, at least One Month before such his Intentions so to do, and thereupon the Governors or Trustees of such Corporation in being, or a sufficient Number of them prescribed by their different Charters or Acts to constitute a Board, are hereby impowered from Time to Time to ac-

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cept of such Resignation or Surrender, and to proceed to the Election of another Governor or Trustee to Act in the Place or Stead of the Person so resigning, as if such Person was naturally Dead, according to, and in Pursuance of such Regulations as are contained in the Act of Parliament constituting the Corporation whereof the Member so resigning has been a Governor or Trustee.

AN.

CHAP. XVII.

AN

ACT

FOR

Continuing and amending certain Temporary Statutes heretofore made, for the better regulation of the City of *Cork*, and for enlarging the Salary of the Treaſurer, and for the better regulating the Sale of Coals in the ſaid City, and for erecting and continuing Lamps in the ſame, and for the better preſerving the Streets and High-ways therein, and for confirming and eſtabliſhing a Court of Conſcience in the ſaid City, and for regulating the Aſſize of Bread therein, and for ſecuring the Quays by Parapet Walls.



DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

A N

A C T

F O R

Continuing and amending certain Temporary Statutes heretofore made for the better regulation of the City of *Corke*, and for enlarging the Salary of the Treaſurer, and for the better regulating the Sale of Coals in the ſaid City, and for erecting and continuing Lamps in the ſame, and for the better preſerving the Streets and High-ways therein, and for confirming and eſtabliſhing a Court of Conſcience in the ſaid City, and for regulating the Aſſize of Bread therein, and for ſecuring the Quays by Parapet Walls.

C H A P. XVII.

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WHEREAS an Act paſſed in the First Year of the Reign of His preſent Majeſty, intituled, An Act for the more eaſy and equal aſſeſſing all Money preſent-

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ed by the Grand Jury of each Aſſizes to be held for the City, and County of the City of *Cork*, and for putting the Coaches, Chaiſes, Chairs, and Sedans, that ply for Hire in the ſaid City, under the like Regulations, for the Benefit of the Work-houſe of *Cork* as they are in *Dublin*, and alſo for the better regulating the Harbour of *Cork*, hath been found by Experience to be of great Advantage to the City and County of the City of Cork: And whereas the ſeveral Clauſes therein relative to the aſſeſſing, and applotting, and raiſing publick Money, are limited and made to continue for Two Years, from the Firſt Day of June One thouſand ſeven hundred and ſixty two, and from thence to the End of the next Seſſion of Parliament, be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and the ſeveral Clauſes thereof, be made perpetual, with the ſeveral Amendments and Explanations herein after mentioned.

And whereas it may become a Doubt, whether Hackney-chaiſes, other than Poſt-chaiſes,

chaiſes, and Chairs drawn by Horſes, are comprehended within the ſaid recited Act of Parliament, be it enacted and declared by the Authority aforeſaid, That all Chaiſes and Chairs drawn by Horſes, and kept by any Perſon for hire, ſhall be deemed and taken to be comprehended and contained within the ſeveral Orders and Regulations of the ſaid Act of Parliament, and that all ſuch Chaiſes, other than Poſt-chaiſes, and Chairs drawn by Horſes, ſhall be licenſed in ſuch Manner, and pay to the Governors of the Work-houſe eſtabliſhed in the ſaid City, and their Succeſſors, ſuch Fines and yearly Rent, as Chairs by the ſaid Act are ordained to do. CHAP. XVII.

And whereas ſeveral Owners and Keepers of the Hackney-coaches, Poſt-chaiſes, and Horſe-chairs, who keep the ſame for Hire in the ſaid City of Cork, have omitted and refuſed to take out Licences purſuant to the ſaid Act, and to ply for Hire within the County of the City of Cork, be it Enacted by the Authority aforeſaid, That from and after the Firſt Day of May One thouſand ſeven hundred and ſixty four, all and every Perſon or Perſons reſiding within the City or County of the City of

 Cork,

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Cork, who shall keep, drive, or let out for Hire any Hackney-coach, Post or other Chaise, or Horse-chair, either to Places within the said City, or County, or elsewhere, shall be obliged to take out a Licence for every such Coach, Post or other Chaise or Chair, before the said First Day of May One thousand seven hundred and sixty four, or within Three Months after any such Owners or Keepers of Hackney-coaches, Chaises, or Chairs, and set up the same to be let to Hire in the said City or County of the said City, and shall be obliged to ply for Hire within the said City and County of the said City, under such Regulations and Penalties, and in such Manner as in the said Act is mentioned, and that every such Keeper of any Hackney-coach, Post or other Chaise, or Horse-chair, who keeps the same for Hire, shall Quarterly on every first Day of September, December, March, and May, in every Year, or within five Days after, give and return to the Mayor of the said City of Cork, or his Clerk, a true Account in Writing of their Names and Places of Abode, and the Number of their Coaches, Post-chaises, Chairs, and Horses, and the Places where they respectively keep the same, and that

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the said Mayor, or his Clerk, shall cause the same to be registred in a Book to be kept in the Office of the Town-clerk of the said City, to which every Person shall have Liberty to resort without Fee or Reward.

And be it further Enacted by the Authority aforesaid, That if any Owner, Keeper, or Driver of a Coach, Post or other Chaise, or Horse-chair within the said City of Cork, or the Liberties thereof, for the Letting out the same to Hire, shall from and after the first Day of May One thousand seven hundred and sixty four, refuse to ply for Hire within the said City or County of the said City, every such Owner, Keeper, or Driver, shall for every such Offence forfeit the Sum of Twenty Shillings, and that if any such Owner, Keeper, or Driver of a Coach, Post, or other Chaise, or Horse-chair, within the said City or the Liberties thereof, shall after the Time aforesaid neglect or omit to give the Mayor of the said City a true Account and Return in Writing of his Name and Place of Abode, and the Number of his Coaches, Post-chaises, or other Chaises, Chairs, and Horses, on the several and respective

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Days aforesaid, or to take out such Licences as aforesaid, every such Owner or Keeper, for every Time he shall neglect or omit to make such Return as aforesaid, and also for every Month he shall neglect to omit to take out such Licence, shall forfeit the like Sum of Twenty Shillings, the said several Penalties to be recovered and levyed upon Complaint being made before the Mayor of the said City of Cork, in such Manner, and for such Uses and Purposes, and be distributed as the several other Pecuniary Penalties inflicted by the said Act on Coachmen, Post-chaise-men, and Chairmen offending are appointed to be recovered and levied.

And whereas the Treasurer of the said City and County of the said City of Cork, is now intitled to a Yearly Salary of twenty Pounds only: And whereas the Office of the Treasurer of the said City, and County of the said City, is grown very Laborious and Burthensome, by Reason of the Increase of the said City, and of the several Laws and Regulations for levying of publick Money: Be it enacted by the Authority aforesaid, That from and after the first Day

Day of May One thouſand ſeven hundred and ſixty four, it ſhall be lawful to and for the Grand Jury of the ſeveral Aſſizes, to be held for the ſaid City and County of the ſaid City, to preſent any Sum not exceeding forty Pounds, for the Yearly Salary of the Treaſurer of the ſaid City and County of the ſaid City, to be aſſeſſed, applotted, and raiſed in ſuch Manner, and with ſuch Powers, as the publick Money preſented by the Grand Juries of the ſaid ſeveral Aſſizes, by the aforeſaid Act, made in the firſt Year of His preſent Majeſty King George the Third, is appointed to be aſſeſſed, applotted and raiſed: CHAP. XVII.

And whereas ſeveral Perſons in the ſaid City of Cork, make a Practice of buying up very large Quantities, and often entire Cargoes, of Coals before the ſame are brought up to the Quay, or publick and uſual Landing Places, and by theſe Means engroſs large Quantities of Coals, and afterwards retail the ſame at Exorbitant Prices: And whereas by the ſeveral Frauds practiſed in the Coal Trade of the ſaid City, the Poor of the ſaid City have been reduced to great Diſtreſs: For Remedy whereof, be it enacted by the Au-

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thority aforesaid, That from and after the first Day of May One thousand seven hundred and sixty four, no Person shall be allowed to purchase Coals for Sale, or keep any Yard or Cellar for selling Coals, or to Act as Factor, Purser, or Agent for buying and selling Coals in the said City, without having a Written Licence for that Purpose, signed by the Mayor, Sheriffs, and Common Council of the said City, and that no such Licence shall be granted unless the Person desiring such Licence shall first enter into a Bond, with two sufficient Securities, of the Penalty of two hundred Pounds Sterling, to the Mayor of the said City for the Time being, conditioned that such Person or Persons shall and will not be in any sort concerned in Engrossing, Forestalling, or Regrating, or in any Combination for raising the Price of Coals in the said City or Liberties thereof, and that such Licence shall be for and during good Behaviour, for which Licence, and also for filling up the said Bond, one Shilling and no more shall be paid.

And be it further Enacted by the Authority aforesaid, That the said Factors, Pursers

Purſers, or Agents, ſhall never exceed the Number of fifteen, and ſhall never buy any Coals to ſell again, and that no ſuch Factor, Purſer, or Agent, ſhall buy in any one Year, for his own Conſumption, a greater Quantity than twenty Tuns, and every Perſon who ſhall keep any Yard or Cellar for ſelling Coals in ſaid City or the Liberties thereof, without firſt obtaining ſuch Licence, and every Factor, Purſer, or Agent, who ſhall buy any Coals to ſell again, ſhall for every ſuch Offence forfeit one hundred Pounds.

And be it Enacted by the Authority aforeſaid, That every ſuch Factor, Purſer, and Agent, ſhall take an Oath, to be adminiſtred by the Mayor of the ſaid City, which Oath the ſaid Mayor is hereby impowered to adminiſter, that he will not during the Time of his being Factor, Purſer, or Agent, buy any Coals to ſell again, and that he will exerciſe the ſaid Office faithfully, diligently, and impartially, between the Sellers and Buyers of Coals.

And be it Enacted by the Authority aforeſaid, That no Perſon ſhall keep a Coal-yard, or Cellar, or being concerned as Factor, Purſer, or Agent, ſhall keep any Lighter,

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Boat, or Gabbard, for the Purpose of carrying Coals, and that no Person shall keep such Lighter, Boat, or Gabbard, without having a Licence for that Purpose signed by the Mayor for the Time being, and to be in Force during good Behaviour; for which Licence, one Shilling and no more shall be paid, and every Person who shall offend herein shall for every such Offence forfeit fifty Pounds.

And be it Enacted by the Authority aforesaid, That the Master of every Vessel bringing Coals to the said City, shall be obliged immediately on the Arrival of every such Vessel at any of the Quays, or Publick, or usual Landing Places of the said City, to hang at the Mast of his said Vessel, or of the Lighter, Boat, or Gabbard, in which Coals shall be brought up to the said Quays or Landing Places, a Board with the true Name of the Place from whence the said Coals were shipped and brought, written or painted thereupon in large legible Characters, and every Person who shall keep a Yard or Cellar, for selling Coals in the said City, shall hang at the Door of the said Yard or Cellar, a Board with the Denomination of the Coals then contained in the said Yard or Cellar, painted or written

ten thereon in large legible Characters, and every Person offending herein shall forfeit the Sum of Twenty Pounds, and every Master, Factor, or Porter, and every Person who shall knowingly, or willingly sell Coals by a false Denomination, or impose or be any ways aiding or instrumental in imposing on any Buyer of Coals, touching the Denomination or Kind of the said Coals, shall for every such Offence forfeit the Sum of thirty Pounds.

And for the preventing unlawful Combinations to raise the Price of Coals in the said City, be it further Enacted by the Authority aforesaid, That all Contracts or Agreements between any Coal Owners, Masters, or Owners of Ships, Coal Factors, or other Persons concerned in the Coal Trade, for raising the Price of Coals, or for restraining any Person or Persons from freely selling, buying, unloading, or disposing of Coals, save as is herein before provided and Enacted, shall be declared illegal and void, and that if any Person or Persons shall make, enter into, Act, or be knowingly concerned in any such Contract or Agreement in the said City or County of the City of Corke, every Person so offending shall for every such Offence forfeit One hundred Pounds, to

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be recovered by such Suit or Action as hereinafter mentioned.

And be it Enacted by the Authority aforesaid, That one Moiety of the aforesaid several Penalties contained under so much of this Act as relates to the regulating of the Sale, Landing and Trade of Coals, shall go and be paid to the Informer, and the other Moiety thereof to the Treasurer of the Work-House, established in the said City of Cork, for the Use of the said Work-House, and that the said Penalties, or such of them as are not otherwise ordained, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record in the City of Dublin, or by Action of Debt, or Plaint, to be commenced and proceeded upon, in the usual Manner before the Mayor and Sheriffs in the Court of Record of the City of Cork.

And for preventing of Frauds by Measurers, Porters and Carmen of Coals, in the said City and Liberties thereof: Be it Enacted by the Authority aforesaid, That the Mayor and Common Council of the said City, or any ten or more of them, the Mayor for the Time being to be always one, shall have Power from Time

to

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to Time to make such Rules, Orders, and by Laws for fixing the Wages, and regulating the Conduct of such Measurers, Porters, and Carmen, employed in the Cartiage or Measurement of Coals, as they shall think fit.

And whereas the several Acts of Parliament now in Force in this Kingdom, for Enlightning Cities and Towns, have been found ineffectual with respect to the City of Cork: Be it Enacted by the Authority aforesaid, That from and after the First Day of August, One thousand seven hundred and sixty four, the Parishioners of the several Parishes of the City of Cork, and Liberties thereof, whereof any Part lies within the said City, or the Suburbs thereof, shall and are hereby required to light the Lamps in such Parts of their respective Parishes as are within the said City or Suburbs thereof, and that such convenient and sufficient Number of Glass Lamps shall with all convenient Speed be provided, erected, and fixed in the Streets, Lanes, Passages, and on the Quays of the said Parishes, as to the Church-Wardens, and such Part of the Parishioners as by this Act shall be liable to the Payment of Lamp-money, and Qualified to vote at Vestries to be held by Virtue

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of this Act, or the major Part of them, shall seem meet, which said Vestries shall be held in the said respective Parishes, on the First Day of May, One thousand seven hundred and sixty four, or if the same shall happen on a Sunday the Day after, and continued by Adjournment, if necessary, from Day to Day, Sunday's excepted, until they shall have concluded and compleated the several Regulations herein after mentioned, and that such Lamps shall be lighted, prepared, and maintained, in such Manner as to the Church-Wardens and such respective Inhabitants as aforesaid, of the said respective Parishes at a Vestry, to be held from Time to Time on every First Day of May, (if Sunday) on the Day after, and by Adjournment from Day to Day (Sundays excepted) in each Year, shall from Time to Time seem meet and expedient, which Vestries the Ministers of every Parish within the said City of Cork and the Suburbs thereof, are hereby required to call, and on their Default shall notwithstanding assemble, and that the said Lamps shall be of such Sort, as to the Mayor and Common Council of the City of Cork shall seem proper, and that the Mayor of Cork for the present Year, before the Twenty fifth Day of March next, shall order a Lamp or Lamps

of

of such Sort and Fashion as shall be approved of by the said Mayor and Common Council of the said City of Cork, to be deposited in the Tholsel of the said City, for the Inspection of the Churchwardens and Parishioners of the several and respective Parishes. CHAP. XVII.

And be it Enacted by the Authority aforesaid, That the said Lamps shall be erected and fixed to or near any House or Building, or on Posts or Irons, or otherwise, and at such Distance one from another, not exceeding Thirty Yards, transversely on both Sides of the several Streets, Lanes, Passages and Quays, in the respective Parishes of the said City and Suburbs, and shall project Two Foot and an Half into the same, and that the said Lamps shall be kept lighted and burning, from a Quarter of an Hour after Sun setting, to a Quarter of an Hour before Sun rising, from the First Day of August to the First Day of May in every Year.

And in order to defray the first Expence of buying and erecting such Lamps, Posts, or Irons, and also the Yearly Charges of lighting, supplying, maintaining, and repairing the same; be it Enacted

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acted by the Authority aforesaid, That the Church-Wardens, or a Church-Warden of every Parish, shall preside at the several Vestries to be held in pursuance of this Act in the said respective Parishes, and every Inhabitant being the Head of a Family, and being Occupier of a House within such Parish, and within the said City or the Suburbs thereof, and within the Extent of the Lamps, after the same shall be fixed, of the Yearly Value of Five Pounds and upwards, and no other, may attend and give his Reasons and vote as an Inhabitant, and that at the several Vestries to be held on the First Day of May, One thousand seven hundred and sixty four, or some Adjournment thereof to be held as aforesaid, in the said several Parishes, the Church-Wardens, and Major Part of the Inhabitants present, qualified as aforesaid, shall agree upon and determine, by an Order in Writing to be signed by the Church-Wardens, or one of them, the Number of Lamps to be erected and fixed in their several Parishes, and in what Places and Manner, and in what Distances the same shall be fixed and erected, in the several and respective Streets, Lanes, Passages, and upon the Quays in the respective Parishes, so as no Order shall be

be made by them inconsistent with this Act, and shall then also make an Estimate in Writing to be signed by the Church-Wardens, or one of them, of the Costs of such Lamps, and of the Expence of erecting thereof, and all other Expences relative to the lighting and maintaining the same to the First Day of May, One thousand seven hundred and sixty five, and also of the Rate and Proportion to be paid by the respective Parishes of the Money advanced by the Mayor and Council of the City of Cork, as herein after is mentioned, for immediately lighting the said City: Be it further Enacted by the Authority aforesaid, That at the several Vestries to be held on every First Day of May, after the Year One thousand seven hundred and sixty four, or some adjournment thereof to be held as aforesaid, the Church-Wardens and Major Part of the Inhabitants qualified as aforesaid, shall and may from Year to Year, make such Orders and Alterations with respect to the Number, Places, and Distances, of the Lamps to be fixed in the respective Parishes, as they shall think fit, not inconsistent with this Act, and shall then also make an Estimate of the Costs of altering, repairing, lighting, and maintaining the Lamps in their respective Pa-

 rishes,

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riſhes, to the Firſt Day of May in the enſuing Year.

And be it further Enacted by the Authority aforeſaid, That the Church-Wardens and Inhabitants qualified as aforeſaid, of the ſaid reſpective Pariſhes reſpectively, at the ſaid Veſtries to be called on the Firſt Day of May One thouſand ſeven hundred and ſixty four, or at ſome ſuch adjournment thereof as aforeſaid, ſhall nominate and appoint Three or more diſcreet judicious Perſons, Inhabitants of ſuch Pariſh, to be Valuators, to value and eſtimate the yearly Value of every Houſe, Tenement, Out-Houſe, Office, Cellar, Ware-houſe, Store-houſe, and Store-yard, with their Appurtenances in ſuch Pariſh, and within the ſaid City and Suburbs thereof, ſo far as they ſhall be ordered to be lighted by the Veſtries of ſuch Pariſh, which valuation the ſaid Valuators ſo appointed as aforeſaid, or the major Part of them, ſhall before the Twenty fourth Day of June One thouſand ſeven hundred and ſixty four return in Writing under their Hands, ſetting forth the ſeveral Lots and Concerns as ſeperately and diſtinctly as conveniently may be, and the Names of the ſeveral Occupiers thereof, to the Church-

Wardens

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Wardens of the said respective Parishes, and shall at the Foot of such Return make an Affidavit, or if of the People called Quakers, a solemn Affirmation in Writing, before such Church-Wardens or One of them, which the said Church-Wardens are hereby impowered and required to take, that the same is a just, fair, full, and impartial Valuation to the best of their Skill and Judgment, and that in case no such Vestry shall assemble, or having assembled shall omit to name and appoint such Valuators, or if the Valuators so appointed shall refuse, neglect, or omit to make such Valuation, Return, and Affidavit as aforesaid, before the Twenty fourth Day of June One thousand seven hundred and sixty four, in every such case, the Mayor of the said City of Cork for the Time being, shall nominate and appoint Three or more skillful Inhabitants of such Parishes Valuators, to Value and Estimate such Houses, Tenements, Out-houses, Offices, Cellars, Ware-houses, Store-houses, and Store-yards, with the Appurtenances in such Parish as aforesaid, and to make and return such Valuation thereof as aforesaid, which Valuation the Persons so to be appointed by the Mayor of Cork, or the major Part of them,

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shall make and return, with such Affidavits as aforesaid at the Foot thereof, to the Church-Wardens of the respective Parishes aforesaid, at or before the First Day of August One thousand seven hundred and sixty four.

And be it further Enacted by the Authority aforesaid, That in case any Person or Persons, who shall be nominated and appointed to be a Valuator or Valuators in any of the said Parishes in pursuance of this Act, whether he or they shall be so nominated by the said respective Vestries, or by the Mayor of Cork, shall refuse to take upon him or themselves the said Office, or shall omit or neglect to execute the same, to the best of his Ability, skill, and Knowledge, that every Person so offending, shall Forfeit the Sum of Ten Pounds; and that in case the Persons who shall be nominated and appointed Valuators of any the aforesaid Parishes, or the major Part of them, shall omit or neglect to make such Return and Affidavit, or Affirmation as aforesaid, before the Twenty fourth Day of June or the First Day of August One thousand seven hundred and sixty four, as the Case requires, that then and in such Case, every of the Valuators

of

of such Parish so offending, shall Forfeit the Sum of Twenty Pounds, to be recovered and disposed of as herein after directed. CHAP. XVII.

And be it further Enacted by the Authority aforesaid, That after such Affidavit and Valuation as aforesaid shall be made and returned to the Church-Wardens of the said respective Parishes, they shall forthwith lodge the same in the Hands of the Town-clerk of the said City of Cork, or his Deputy, and cause Notice thereof to be given to the Parishioners on the next Sunday in the usual Manner, at or after Divine Service in their respective Parish-Churches, and that for Fifteen Days after such Notice as aforesaid, every Person shall and may have access to such Valuations in the Hands of the said Town-clerk or his Deputy, or the same, or a true Copy thereof shall be posted on or near the Door of his Office, and if any Person or Persons, shall think him or themselves aggrieved by such Valuation, he and they may within the said Fifteen Days lodge their Appeal and Complaint to the Mayor and Sheriffs of the said City of Cork, in their Court of Record, who shall at their next Court, or as soon

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after as conveniently may be conſider of the Merits of ſuch ſeveral Appeals, and at their Diſcretion may, if they think fit, order the returning Officer of ſuch Court to impannel and return a Jury for a Tryal of any Matters of Fact, and after Verdict or otherwiſe, ſhall and may alter and correct ſuch Valuations in the Points complained of, or confirm the ſame, and diſmiſs ſuch reſpective Appeals, and ſhall award Twenty Shillings by way of Penalty againſt every Appellant whoſe Appeal they ſhall diſmiſs, to be levied and applied in ſuch Manner as herein after mentioned; and ſuch Valuations as ſhall be finally ſettled and agreed upon by the ſaid Court in Caſe of any Appeal, and in Caſe of no Appeal, ſuch Valuations as ſhall be returned by the Valuators, to be appointed in purſuance of this Act, after Fifteen Days from Notice being given to the Pariſhioners as aforeſaid, ſhall be final and concluſive to the reſpective Owners and Proprietors of the reſpective Houſes, Tenements, and Premiſes aforeſaid, as to all Purpoſes of this Act, and the reſpective Valuations of the ſaid ſeveral Pariſhes, after the ſame are eſtabliſhed as aforeſaid, ſhall be tranſcribed and regiſtered at the Expence of the reſpective Pariſhes, in a Book or Regiſtry

try to be kept in the Office of the Town-clerk of the said City among the Records thereof, in which Book one or more blank Leaves shall be left between the Registry of the Valuation of the several Parishes, for the Purpose of making Entries therein of the future Valuations of New Buildings, as herein after is directed.

And be it further Enacted by the Authority aforesaid, That the Church-Wardens and Inhabitants of the said respective Parishes qualified as aforesaid, shall at the aforesaid Vestries to be called on the First Day of May One thousand seven hundred and sixty four, or at some Adjournment thereof, and at the several Vestries to be afterwards called and assembled from Year to Year, on every First Day of May, or, if a Sunday, on the Day following, or the major Part of them, in such Manner as aforesaid, shall and may from Year to Year Elect and appoint Two or more discreet Inhabitants of every of the said Parishes, to be Applotters and Overseers for overseeing the several Contracts that shall be made for erecting, maintaining, lighting, or repairing the Lamps, and for applotting on the several Houses and Premisses liable thereto, a proportionable Part

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of the Expences attending the altering, and maintaining, and lighting the Lamps, in the respective Parishes for the ensuing Year, and in Case any of the said Parishes shall neglect or omit to appoint such Overseers and Applotters, within fifteen Days after the First Day of May in any Year, the Mayor of Cork for the Time being, shall forthwith nominate and appoint Two or more discreet Inhabitants of the respective Parishes, neglecting to make such Appointment to execute the said Offices of Overseers and Applotters within such Parishes for that Year.

And be it further Enacted by the Authority aforesaid, That the several Persons who shall be nominated as Overseers and Applotters as aforesaid, within the said respective Parishes at the several Vestries, to be assembled on the First Day of May One thousand seven hundred and sixty four, or in Default of such Vestries by the Mayor of Cork, shall as soon as they conveniently may after the Valuations of the said respective Parishes shall be made, returned, and established in manner herein before directed, and at farthest before the Twenty ninth of September One thousand seven hundred and sixty four, assess and applot

applot such Sum or Sums of Money, as shall be estimated and appointed by the said respective Vestries, to be raised in the said respective Parishes for the Costs and Expences of erecting, lighting, and maintaining the Lamps in every such Parish, to the said First Day of May One thousand seven hundred and sixty five, and also for the Rates and Proportions to be paid by such respective Parishes, of the Money advanced by the Mayor and Council of the said City of Cork, for the immediate lighting the said City as herein after is mentioned, and that the Overseers and Applotters to be appointed in pursuance of this Act, at any Time after the said Year One thousand seven hundred and sixty four, shall from Year to Year as soon as conveniently may be after the respective Nominations, and at farthest before the Twenty fourth Day of June in every Year, assess and applot such Sum or Sums of Money as shall be estimated and appointed by the respective Vestries in every Year, to be raised in their respective Parishes for altering, repairing, maintaining, and lighting the Lamps in such Parishes to the First Day of May following, and that the several Assessments and Applotments to be made in pursuance of this

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Act, ſhall be made rateably and in Propor-
tion to the Valuation of the ſeveral
Houſes, Tenements, Out-houſes, Offices,
Cellars, Ware-houſes, Stone-houſes, and
Stone-yards, with their Appurtenances,
which ſhall be made, returned, and eſta-
bliſhed, in the ſaid reſpective Pariſhes as
herein ordained, and that the reſpective
Redundances or Dificiencies of the Funds
raiſed in the ſaid reſpective Pariſhes in e-
very foregoing Year, ſhall from Time to
Time be added to, or deducted from, the
reſpective Sums which ſhall from Year to
Year be eſtimated to be raiſed, as the Caſe
ſhall happen, before the ſame are or ſhall be
applotted and aſſeſſed for the enſuing
Year, and that the ſeveral aſſeſſments and
applotments to be made as aforeſaid, ſhall
on the Twenty ninth Day of September
One thouſand ſeven hundred and ſixty four.
and in every Year afterwards on the
Twenty fourth Day of June, or with-
in Ten Days after ſuch reſpective Days,
be returned by the ſeveral Applotters,
to the Church-wardens of their reſ-
pective Pariſhes, ſeperately and diſtinctly
made upon the ſeveral Occupiers and In-
habitants of Houſes and other Premiſ-
ſes liable to the ſaid Rates, in Writing
under the Hands of the reſpective Applot-
ters

ters, or the major part of them, to be levied as herein after is directed, with an Affidavit, or if of the People called Quakers a solemn Affirmation, in Writing at the Foot thereof, to be made by the said Applotters, which the said Church-Wardens are hereby required and impowered to take without Fee or Reward, setting forth that the same is a just, fair, full, and impartial Applotment to the best of their Skill and Judgment.

And be it further Enacted by the Authority aforesaid, That every Person who shall be appointed an Overseer and Applotter of Lamp Money, either by the Vestry of any Parish, or the Mayor of Cork, pursuant to this Act, and shall refuse to take such Office, or undertaking the same shall omit or neglect the Execution thereof, shall forfeit for every such Offence, the Sum of Ten Pounds, and in every Case where the Applotters of any of the said Parishes shall omit or neglect to return the Applotment of such Parish in such Manner, and with such Affidavit, and within such Time as herein before is mentioned, that in every such Case, each and every of the Applotters of such Parish for that Year so offending, shall forfeit the

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Sum of Ten Pounds, which ſeveral Penalties are to be recovered and applied as herein after is directed, and that the Town-clerk of the City of Cork, or his Deputy, or any Two other Perſons to be appointed by the ſaid Town-clerk or Deputy, ſhall applot the Lamp Rates of ſuch Pariſh for that Year, and after the ſaid ſeveral Applotments ſhall be returned to the reſpective Church-Wardens, every of the Pariſhioners ſhall have Acceſs thereto, and within ſeven Days after ſuch Return, a true Copy thereof ſhall be poſted on one ſide of the Church Door of the reſpective Pariſhes, and there remain for Seven Days, and in Caſe any Perſon or Perſons ſhall think him or themſelves aggrieved therein, he or they may within Fifteen Days after ſuch Poſting, lodge ſuch Appeal to the Mayor and Sheriffs of Cork in their Court of Record, as before is directed with reſpect to the Valuations of Pariſhes, who ſhall thereupon hear and determine the Merits thereof, and finally ſettle ſuch Applotments in ſuch manner as herein before is directed with reſpect to the ſaid Valuations; ſave that no Penalty ſhall be awarded againſt Appellant, in Caſe his Appeal ſhall be diſmiſſed, and the ſeveral Applotments after they ſhall be eſtabliſhed

blished as aforesaid, shall be transcribed and registered in Books to be kept by the Church-Wardens in the said respective Parishes, which Book shall from Time to Time be handed down, and transmitted by the respective Church-Wardens to their Successors, and carefully kept along with the other Parish Books. CHAP. XVII.

And be it further Enacted by the Authority aforesaid, That the several Sums which shall be applotted in pursuance of this Act, shall be a Charge on the Inhatants and Occupiers of Houses, Tenements, Out-houses, Offices, Cellars, Ware-houses, Store-houses, and Store-yards, with their Appurtenances in their respective Parishes aforesaid, and levyed as hereafter is directed.

Provided allways, That no Proprietors or Owners of Houses, Tenements, or other Premisses, which are or shall be waste during such Time as the same shall be waste, nor any House, Tenement, or other Concern, situate above Ten Yards beyond the Extent of the last Lamp in any Parish, shall be lyable to pay any of the said Rates, and that if any Inhabitant shall register their Names in the Parish

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Book of the respective Parishes, and engage to their respective Church-Wardens by their Bond, or penal Bill of four Pounds, conditioned to light one or more private Globe, Lamp or Lamps, with their Lights turned to the Streets, Lanes, Passages, or Quays, subject to the same Regulations with the publick Lamps, and to pay for Lighting the same, such Inhabitant shall be exempted from paying one half of the Assessment for the Support of the publick Lamps, which they would otherwise be liable to pay.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful for the Church-Wardens of the respective Parishes, with the Advice and Consent of the Parishioners, or the Major Part of them, immediately after the aforesaid Assessments shall be made and established as aforesaid, by Appointment, under the Hands and Seals of such Church-Wardens or one of them, to nominate, elect, and appoint, from Year to Year, a substantial and responsible Inhabitant, in each of their respective Parishes, to collect and receive the several Assessments and Sums made payable by the several Applotments, to be made as aforesaid by each Inhabitant of such Parish, and the Collectors who shall be so chosen,

Chosen, shall be Collector for One Year and no more, and shall collect and receive the same Half-yearly, of and from all Persons lyable to pay the same, and all Persons who shall be charged therewith, or be thereunto liable, shall pay such Sums so assessed and applotted, to such respective Collectors for the Time being, by two Half-yearly Payments, such Collectors giving from Time to Time Receipts gratis if required, and that every such Collector shall at the Vestry at which he shall be so chosen, or within the Space of Twenty one Days then next ensuing, before the Church-Wardens of the said Parish, for which he shall be so chosen Collector at such Time and Places as such Church-Wardens shall appoint, take and subscribe the following Oath, or solemn Affirmation (being of the People called Quakers) for the true and faithful Execution of the said Office:

I *A. B.* Do Sware or Affirm, That I will according to the best of my Abilities, Skill, and Knowledge, diligently, and impartially, well and truly perform and execute the Office of a Lamp Collector within this Parish, during the continuance of my said Office.

So help me God.

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which the Church-Wardens of every of the respective Parishes are hereby impowered to Administer, and if any Collector so chosen shall refuse or neglect to take the said Oath or Affirmation, or to take upon himself the said Office, or taking upon himself the said Office shall neglect or refuse to serve the same, he shall Forfeit the Sum of Twenty Pounds, to be recovered by the Person in the same Manner, and for the Use that the Forfeiture on Valuators and Applotters are herein after directed by this Act.

And be it further Enacted by the Authority aforesaid, That when any Person shall refuse or neglect to take upon him the said Office of a Collector of Lamp Money, when chosen thereunto, or to execute the same, or shall depart this Life, or abscond from his Creditors before he has finished his Collection, it shall and may be lawful for the Church-Wardens of the Parish for the Time being, in every such Case, with the Advice and Consent of the Parishioners, or the major Part of them, by Appointment under the Hands and Seals of such Church-Warden, to nominate and appoint some other Person within said Parish, to collect all such Sums of Money

ney as ſhall remain due and unpaid of ſuch Aſſeſſment as aforeſaid, which Perſon ſhall be liable in Caſe of refuſal or neglect of Duty, to ſuch Penalties and Forfeitures as the former Collectors were liable unto.

Provided allways, and be it Enacted by the Authority aforeſaid, That nothing herein contained ſhall be conſtrued to extend to oblige any Perſon to ſerve the ſaid Office of Collector, who by the Laws now in being is exempted from ſerving any Pariſh Office.

And be it further Enacted by the Authority aforeſaid, That the ſaid ſeveral Collectors for the Time being, ſhall as often as they ſhall be reſpectively required, and on Seven Days Notice in Writing, given to or left for them reſpectively, at his or their uſual Place of Abode, by the Church-Wardens of the reſpective Pariſhes wherein ſuch Collector ſhall live, deliver in upon Oath or Affirmation, if thereunto required, unto the ſaid Church-Wardens, at ſuch Time and Place within their reſpective Pariſhes, which Oath or Affimation the ſaid Church-Wardens are hereby impowered to Adminiſter, a true, exact and

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perfect Account in Writing, under the respective Hands of such Collector, of all Sums of Money which he or they shall have received by reason of his or their Office, and also a true List of the Names of all persons in their respective Parishes, who shall have neglected or refused to pay the assessments laid on them as aforesaid, and the several Sums on them respectively due and in Arrear, to the Intent that the same may be speedily sued for and recovered, and if any Collector after such Notice given shall neglect or refuse to bring his Accounts as aforesaid, or to account for any Sum by him collected and received, and to pay the same, and every Part thereof, as is hereby appointed, it shall and may be lawful to and for the Mayor for the Time being upon Complaint made, and Conviction of such Neglect or Refusal, to commit such Collector to the City Goal, there to remain without Bail or Mainprize until he shall have rendered and made true and perfect Account and Payment as aforesaid.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall neglect or refuse to pay the Sum or Sums of Money on him or them assessed

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assessed as aforesaid for the Space of seven Days after personal Demand thereof, or Demand in Writing left at the place of Abode of such person, or fixed at the Door or Gate of the place within the said parish on which such Rate is assessed, that then and in every such Case it shall and may be Lawful to and for such Collector or Collectors so appointed, to receive the said Rates and Assessments by Warrant under the Hand and Seal of the Mayor of Cork, or any other Justice of the Peace of the City of Cork, which Warrant the said Mayor and Justices are hereby impowered to grant by and with the Aid and Assistance of a Constable of the said Parish, who is hereby required to be aiding and assisting to enter into any Part of the Premisses so assessed, and to distrain the Goods and Chattles of the Occupiers thereof there found, and if the same shall not be replevied or the Monies paid within six Days after such Distress made, together with the Costs of making such Distress, to be ascertained by the Mayor of Cork, then to appraise or sell the same, or such Part thereof as shall be sufficient to pay the Money assessed on such Premisses, together with all Costs and Charges attending the said Distress, returning the Overplus, if any, to the

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Owner or Owners of such Goods or Chattles, and in any Case any Replevin shall be brought for the Goods and Chattles so distrained, the said Mayor of the City of Cork for the Time being, shall and is hereby impowered and required to issue a Summons in Writing to all Parties to hear and determine the Matter in Dispute, whether the same shall depend upon a Claim of Property by a Stranger or otherwise, in the most speedy and summary Way, by examining Parties and Witnesses upon Oath, which he is hereby impowered to do, and to award Return of the Goods so distrained, or a Sale thereof for Payment of the said Rates, unless such Distress be forthwith redeemed, and his Determination shall be final and conclusive to all Parties; and in Case the said Mayor shall think it proper upon any such Disputes to try any Matter of Fact by a Jury, he shall adjourn the same to the next Court of Record to be held for the City of Cork, and at the Desire of the Mayor, the proper returning Officer shall then impannel and return a Jury to try such Issue as the said Mayor shall direct, and upon return of their Verdict he shall make such further Order as he shall think fit.

And

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And be it Enacted by the Authority aforesaid, That in Case any such Collector shall die before he shall have accounted, his Executors, or Administrators, shall be accountable to the respective Church-wardens for all such Sums as the said Collectors shall have received, and the said Church-wardens shall recover the same by Action of Debt, or otherwise, in any Court of Record, or by civil Bill before the next going Judge of Assize.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful for the said Mayor, Sheriffs, and Common Council, and they are hereby required on or before the first Day of July One thousand seven hundred and sixty four, and on or before the first Day of June in every other Year, to ascertain the Price of each Lamp, and of Lighting, Snuffing, Cleansing, and Supplying the same.

And be it further Enacted by the Authority aforesaid, That the Church-wardens for the Time being in each respective Parish of the said City and Suburbs of Cork, by and with the Consent of the Overseers

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and Applotters of such Parish, or the Major Part of them for the Time being, shall and may yearly and every Year, between the first Day of May and the first Day of August, contract and agree with any Person or Persons for the Number of Lamps necessary to be set up in the respective Parishes, and for erecting and setting up the same, and for Lighting, Trimming, Snuffing, Cleansing, Supplying, Maintaining, and Repairing such Number of Lamps, as the Church-Wardens and Parishoners, or the Major Part of them, in each Parish Vestry assembled in pursuance of this Act, shall from Time to Time deem requisite for Lighting their respective Parishes, upon the best Terms they can; provided such Contract be made for the Space of one Year, and no more at one Time, and thereby no larger Sum shall be allowed for the annual Lighting, Cleansing, Snuffing, and Repairing any Lamp within any Parish than what shall be directed and appointed to be paid by the Mayor, Sheriffs and Common Council of the said City as aforesaid, and that all Contracts for other Materials and Particulars shall be reduced to Writing, and confirmed by the Mayor of the said City of Cork for the Time being,

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being, under his Hand, and subscribed to such Contract, and declaring, that he ratifies and confirms the same; and provided also, that no Church-Wardens, Overseer, Applotter, or other Parish Officer, during his and their continuing in such Office, or any Person in trust for him, them, or any of them, shall have any Interest in any Contract for lighting the said respective Parishes, or for Providing, Fixing, or Repairing any of the said Lamps, or other Materials necessary thereto.

And be it further Enacted by the Authority aforesaid, That upon any Complaint made to the Church-Wardens in their respective Parishes of any neglect of Duty in the several Contractors with such Church-Wardens, or in the Person or Persons by them employed for the Trimming, Cleansing, and Lighting the said Lamps, that it shall and may be lawful for such Church-Wardens, and they are hereby required upon every such Complaint, to cause the Party accused to be summoned to appear, at a Time to be appointed in such Summons, before the Mayor of the City of Cork for the Time being, who is hereby impowered and required to examine in a Summary way Witnesses upon Oath, or if of the People called Quakers upon their

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their solemn Affirmation, touching the Matter of such Complaint, and if thereupon the Matter complained of shall be proved to the Satisfaction of the said Mayor, the Contractor or Contractors shall forfeit such Sum or Sums of Money as to the said Mayor shall seem reasonable and just, and the same shall be deducted for the Benefit of the respective Parishes out of the Rates, Prices, or Wages contracted to be paid to such Contractors.

And be it Enacted by the Authority aforesaid, That if any Person or Persons shall from henceforth wilfully or maliciously break, throw down, or extinguish any Lamp or Lamps, now or hereafter to be set up to light the Streets, Lanes, Passages, or Quays, of the said City, or wilfully damage the Posts, Iron, or other Furniture of the same, it shall be lawful for any Person or Persons to arrest and detain such Offender or Offenders, until he, she, or they may be carried before the Mayor, or some other Justice of Peace of the said City for the Time being, and every Person so Offending and being thereof convicted by the Oath of one or more Witness or Witnesses, or by the Confession

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sion of the Party accused before the Mayor, or any other Justice of Peace for the said City, shall for the first Offence forfeit the Sum of forty Shillings for each Lamp, and for the second Offence the Sum of fifty Shillings for each Lamp, and for the third Offence the Sum of three Pounds for each Lamp, to be recovered and levied by Distress and Sale of the Offender's Goods, and applied in such Manner as herein after is directed with respect to other pecuniary Penalties inflicted by such Part of this Act as relate to the Lighting of the said City of Cork.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for the Mayor and Sheriffs of the said City of Cork, or any two of them of whom the Mayor is to be one, in the Court of Record of the said City, to hear and determine of all Offences, Omissions, and Refusals, which are by any Part of this Act relating to the Lamps to be erected in the said City of Cork made punishable by any pecuniary Penalties, save such as are otherwise directed by this Act, upon any Information exhibited or Complaint made in that Behalf within one Month after Offence committed; and to summons

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the Party or Parties accused, and Witnesses on either side to attend at the next Court of Record to be held for the said City, and if the Party or Parties accused shall be lawfully convicted to the Satisfaction of the Court, of such Offence by the Oath of one or more Witnels or Witnesses, which Oath the said Court is hereby impowered and required to administer, or on Confession of the Party charged with such Offence, the said Court shall give such Judgment, Sentence, and Determination thereon as is conformable to the Tenor and true Meaning of this Act; and the said Mayor shall thereupon issue a Warrant or Warrants for levying the Penalties or Forfeitures so adjudged on the Goods and Chattles of the Offender, and to cause a Sale thereof to be made in case they should not be redeemed in five Days, rendering the Party the Overplus in Case any there be made, and in Case any Person or Persons shall be convicted in the Manner before prescribed of Breaking, Throwing down, or Extinguishing any Lamp that shall be erected in Pursuance of this Act, or by any Private Person within the said City or Suburbs, and no Goods or Chattles of the Person so Offending can at the Time of such Conviction be found, then it shall be lawful

lawful for the said Mayor or Justice hearing such Complaint to commit such Offender to the House of Correction, there to be kept to hard labour for any Time not less than one Month, and not exceeding six Months, until such Penalty or Forfeiture shall be paid, and in Case no Goods or Chattles of any of the other Offender or Offenders, who shall be convicted of any of the other Offentes, Omissions, or Refusals made punishable by pecuniary Penalties by any other Part of this Act relating to Lamps, shall be found within Twenty four Hours after Issuing such Warrant as aforesaid, then it shall be lawful for the said Mayor or Sheriffs, or any two of them, to issue their Warrant, in Nature of an Execution, to take the Body of such Offender and commit him to the Goal of the said City and County of the said City of Cork, to be held in Execution until such Penalty and forfeiture shall be satisfied and paid; Provided nevertheless, that if any Person or Persons shall think him, her, or themselves aggrieved in the Judgment of the said Court of Record, or of the Mayor of Cork, or other Justice of Peace, that such Person or Persons may appeal to the Justice of the Peace, at the

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next General or Quarter Sessions to be held for the said City of Cork, and shall and may be discharged out of Custody, upon giving sufficient bail to appear at said Sessions, and the Justices of Peace at such Sessions are hereby impowered on either side to summon and examine Witnesses upon Oath, and finally to hear and determine the Merits of such appeal, and make such Order therein as shall be agreable to the Provision and Meaning of this Act, and to the Nature and Circumstance of the Case, and in Case of Conviction to issue a Warrant or Warrants for levying the Penalties or Forfeitures, and for the committing the Offender or Offenders as aforesaid.

And be it further Enacted by the Authority aforesaid, That all the pecuniary Penalties and Forfeitures which shall be inflicted and levyed by such Part of this Act, as Relates to the Lamps to be erected in the said City of Cork, shall be paid and applyed in the Manner following, That is to say, One Moyety thereof to the Person or Persons who shall Inform and Prosecute for the same, and the other Moiety to the Church-Wardens of the Parish where such Offence shall be committed,

to

to be by them accounted for and applied, as Part of the Fund for providing and maintaining the Lights in the said Parish, save and except the said Penalties for Neglect, or Breach of Duty of Contractors, which shall be wholly applied for the Benefit of the respective Parishes aforesaid.

And be it further Enacted by the Authority aforesaid, That in Case the Valuation intended to be made in Pursuance of this Act, of any Parish or Parishes within the City, or Suburbs of the said City, of Cork, shall be prevented by the Default of the Ministers, Church-wardens, Inhabitants, or Valuators of such respective Parishes, or delayed beyond the utmost Time herein before limitted for that Purpose, that in every such Case it shall and may be lawful at any Time hereafter for the Mayor of Cork, for the Time being, by Warrant under his Hand and Seal, to appoint five or more skilful and discreet Persons of the same or any other Parish, within the said City or Suburbs, to make and return such Valuation of such Parish or Parishes, so omitted in such Manner as is before directed with respect to the original Valuations, and after such Valuation

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luation shall be so made, as is last directed, the Mayor of Cork shall and may confirm the same under his Hand and Seal, or order a new Valuation of such Parish, which he may in like Manner confirm or reject, and such Valuation shall be confirmed, the same shall be registered in the said Book, to be kept by the Town-Clerk of the City of Cork for that Purpose, and after such Valuation shall be so registered, Applotters, Overseers, and Collectors of Lamp-money, shall and may be chosen, named and appointed, and Lamp-money shall be rated and collected in such respective Parishes, from Time to Time in like Manner, to all Intents and Purposes, as if such Parish or Parishes had been originally valued and rated with Lamp-money, in the said Year One thousand seven hundred and sixty four, in pursuance of this Act.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall steal, or forcibly carry away any of the said Lamps, Irons, Posts, or Furniture thereof, such Person or Persons being lawfully convicted thereof, shall be adjudged guilty of Felony, and being convicted of such Offence, shall be transported

transported to one of His Majesty's Plantations in America for Seven Years, or shall be publickly Whipt at the Discretion of the Judge who shall pass Judgment on such Offender. CHAP. XVII.

And be it Enacted by the Authority aforesaid, that all Parishioners shall and may have free access, at all convenient Times, to the respective Books of Valuation and Assessments, of the said respective Parishes in the Hands of the Town-Clerk of the said City of Cork, and the Church-Wardens of the said Parishes respectively, and to make Copies thereof at their own Expence.

And be it further Enacted by the Authority aforesaid, that as often as any new Houses, Tenements, Out-houses, Cellars, Ware-houses, Store-houses, or Store-yards, shall be from Time to Time hereafter built, erected, or established, within the said City of Cork, or the Suburbs thereof, within the Extent of the Lights or the Lamps to be erected at any Time hereafter, in pursuance of this Act, every such new built, erected, or established House, Tenement, Out-house, Cellar, Ware-house, Store-house, and Store-yard, with their

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and every of their Appurtenances, shall and may be valued each Year, by the Overseers an Applotters of Lamp-money to be appointed in the respective Parishes by Virtue of this Act, who shall return such new Valuations every Year, to the respective Church-Wardens in Writing under their Hands, or under the Hands of the major Part of them, with an Affidavit or Affirmation, if made by one of the People called Quakers, at the Foot thereof, which they are hereby impowered to take, that the same is a Just and Impartial Valuation to the best of their Skill and Judgment, and such Applotters shall give Notice of such Valuation to the respective Owners or Occupiers of such new built or erected Houses and Premisses, and the Owners and Occupiers thereof, shall have the same Right of Appeal, and upon the same Terms as are herein before appointed in Cases of Original Valuations by the several Valuators, to be appointed in Virtue of this Act,, and after such new Valuation shall be established in such Manner as herein before is directed, the respective Church-Wardens shall return the same, to the Town Clerk of the said City of Cork, who shall make a due Entry thereof, and add the same to the Original Valuations

of the respective Parish, in a Book or Registry herein before appointed to be kept for that Purpose, and that every House, Tenement, Out-house, Cellar, Ware-house, Store-house, and Store-yard, so hereby valued, returned and established, shall in all Applotments and Assessments to be afterwards made and returned, in pursuance of this Act, be rated and charged, and chargeable according to such Valuation thereof, and the Occupier thereof, shall pay, or on Refusal or Omission shall be compelled to pay the Sum so charged and rated therein, in the same Manner as the Occupiers of other Houses, and Concerns Originally valued, are according to the Directions of this Act compellable to pay the same, and if by increase of such new built Houses, or other Premisses, it shall be found convenient to erect a greater Number of Lamps, and extend the same further in any Parish, in every such Case it shall be lawful for the respective Vestries hereafter, to be assembled in Pursuance of this Act, to make Orders for that Purpose, and the same shall be pursued and carried into Execution, in the same, as if such Lamps were originally ordered to be erected at the respective Vestries to be assembled on the First Day of May

CHAP. XVII. One thouſand ſeven hundred and ſixty-five.

And whereas the Mayor and Common Council of the ſaid City of Cork, have for the immediate lighting of the ſaid City, agreed forthwith, out of the common Funds of the City, to erect Lamps, and to light the ſame purſuant to the true Meaning of this Act; now to the end that the ſaid Mayor and Common Council be repaid ſuch Sums of Money as they ſhall ſo immediately or hereafter expend for the aforeſaid Purpoſe: Be it Enacted by the Authority aforeſaid, That the ſeveral Church-Wardens of the ſaid reſpective Pariſhes, ſhall out of the Rates and Aſſeſsments to be received under this Act, in the firſt Place, pay and refund to the Mayor and Common Council, rateably and proportionably to the Aſſeſſments to be made on the ſaid reſpective Pariſhes, at and in purſuance of the Orders to be made at the ſeveral Veſtries, to be held on the Firſt Day of May One thouſand ſeven hundred and ſixty four, and after the Valuations and Applottments ſhall be made in purſuance of ſuch Orders, ſuch Sum and Sums of Money, as the ſaid Mayor and Common Council ſhall ſo lay out and

and expend, for and towards the immedi- CHAP.
diate lighting of said City. XVII.

And whereas notwithstanding the several Acts of Parliament made in this Kingdom, to prevent unlawful Assemblies and Combinations of Artificers, Journeymen, Apprentices, Labourers, and Manufacturers, such Combinations and unlawful Assemblies, have of late greatly increased in the said City of Cork, and liberties thereof: And whereas it has been found very difficult, to detect and convict such Offenders, by Reason that such unlawful Assemblies are generally held secretly and in private Places, in the Houses and Presence of Persons whose Testimony cannot be had as the Law stands, they themselves being guilty or Party in such Offences: Be it Enacted, by the Authority aforesaid, That from and after the First Day of May, One thousand seven hundred and sixty four, it shall and may be lawful to and for the Mayor, or any other Justice of the Peace of the City of Cork, upon Examinations upon Oath being given, or Affidavit made before them, or any of them, of any such Combination or unlawful Assembly, to Summon all or any of the Persons accused or suspected, and to administer an

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Oath to such of the Persons so summoned, as he in his Discretion shall think fit, which Oath the said Mayor, and the other Magistrates are hereby impowered to administer, and every such Person shall swear to answer all such Questions as shall be demanded of him, touching such Combinations, or unlawful Assemblies, and shall Answer all such Questions, and shall discover the Names and Places of Abode, to the best of his, her, or their Knowledge and Belief, of the several Persons who have acted or been concerned in any such Combinations or unlawful Assemblies, and shall not by any Plea or demur, cover, or conceal the same, and such Examinations shall be reduced into Writing, and signed by the Mayor or other Magistrate before whom the same are taken, and by the Party or Parties so examined, and shall be returned to the next Quarter Sessions or Assizes, and such Persons so examined shall be bound by Recognizance in a Sum not exceeding Twenty Pounds, to appear at the next Quarter Sessions or Assizes, in the usual Manner at the Election of the Mayor or other Magistrate before whom such Examination shall be given, and to prosecute the Person or Persons charged by them with

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with being concerned in such unlawful Combinations or Assemblies, and in case any such Person or Persons so summoned shall neglect or refuse to appear before such Magistrate, or to take such Oaths as aforesaid, or give his, her, or their Testimony, and be examined in Manner aforesaid, or to sign such Examinations, the said Mayor or other Magistrate shall issue one or more Warrant or Warrants, and cause such Person or Persons to be imprisoned in the City Goal for Three Months, or sent to Bridewell, or the House of Correction, there to be kept at hard Labour for One Month, and in case such Person so examined shall neglect or refuse to give their Testimony at the Sessions or Assizes, where they shall be bound to appear, in every such Case the Judge of Assizes, at the Assizes, and Justices of the Peace of the County of the City of Cork in their Quarter Sessions, shall respectively forthwith upon such Default or Refusal issue his or their Warrant or Warrants, to apprehend and detain in Execution in the City Goal of Cork, the Body or Bodies of the Person or Persons making such Default, or refusing to give Testimony as aforesaid, until he, she, or they shall Pay and Satisfy the Penalty of their respective Recognizance, to be applied and paid

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over to the Governors of the Work-house of the said City.

Provided allways, That every Person or Persons who shall be summoned or examined as aforesaid, and shall afterwards appear on their respective Recognizance, and give Testimony at the Assizes, or Quarter Sessions as aforesaid, if required by the Court or Prosecutor so to do, shall be acquited and discharged from all further Prosecution, and from any Punishment, Forfeiture, or Penalty which he, she, or they hath or have incurred, for or by reason of any Offence, Matter, or Thing, discovered in their respective Examinations or Testimony, and that every such Person so examined and bound over may and shall, if required by the Court or Prosecutor, be examined as a Witness or Witnesses against all other Persons concerned in, or charged with any such unlawful Combinations or Assemblies as aforesaid; any Law or Usage to the contrary notwithstanding.

Provided also, that if any Person or Persons who shall be summoned and examined as aforesaid, concerning the discovery of any such unlawful Combination or Assembly, shall in any such Examination as

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shall be taken in pursuance of this Act, or in their Testimony upon the Tryal of any Person or Persons, for or concerning any such unlawful Combinations or Assembly, commit any Manner of wilful or corrupt Perjury, that every such Offender or Offenders, being thereof lawfully indicted and convicted, shall lose and forfeit such Sum and Sums of Money, and further shall be proceeded against, imprisoned and stand upon the Pillory, and be subject to such other Punishments and Disabilities as in and by a Statute made in this Kingdom, in the Reign of Queen Elizabeth, is enacted and ordained.

And whereas several of the Highways, Streets, and Paved Ways, in the City and County of the City of Cork, require frequent repairing, and several By-ways therein are, and Time out of Mind have been, of less Breadth than hereafter mentioned, and do notwithstanding for the Ease of the Publick, require to be kept in Repair: And whereas no Money can be granted by Presentment for repairing the same, by Reason of their not being of the Breadth required by the Statute now in Force for repairing Highways: Be it Enacted by the Authority aforesaid, that from henceforth

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forth it shall not be necessary in the Affidavit or Presentment for repairing any Road or Highway in the City and County of the City of Cork, to sett forth that such Highways or Roads are to be of the Breadth of Twenty one Feet between Inclosure and Inclosure, or to be made Fourteen Feet Wide, but instead thereof, that it shall be sufficient the said Affidavit and Presentments set forth the true Breadth of the same, between Inclosure and Inclosure, and how much thereof it will be necessary to repair.

And for the more effectually keeping the said Streets and Ways from Encroachments and Nuisances; be it Enacted by the Authority aforesaid, That from and after the First Day of May, One thousand seven hundred and sixty four, it shall be lawful for the said Mayor and Sheriffs of the City of Cork, to remove all Incroachments or Nuisances, in making Doors or Stairs of Cellars projecting into the Streets or Lanes, by delivering an Order in Writing to the respective Tenants and Occupiers of the respective Houses and Cellars, setting forth and directing in what Manner all such Doors, Stairs, and passages, that are Encroachments or Nuisances in such Streets or Lanes, shall be

be altered, or in what Manner set back, or to remove all Incroachments or Nusances of Shop-windows, Window-shutters, Frames, Standings, or other Things in or upon such Streets or Lanes, and in case the Chief Tenant of such Cellars, and the Owners of such Houses, Shops, and Cellars, shall refuse or neglect to comply with such Directions of the Mayor and Sheriffs, or refuse to remove, or cause to be removed, all such Encroachments and Nusances, for the Space of Twenty one Days after such Order as aforesaid, in such Case it shall be then lawful for the Mayor and Sheriffs of the said City to employ Workmen, and alter, and remove, and take away the same, and to compel the said Tenants or Owners to pay all the Charges thereof by Distrels and Sale of their Goods, to be levied by Warrant under the Hand and Seal of the said Mayor; provided that if any Person shall apprehend themselves aggrieved by any such Order and Direction as aforesaid, they may appeal to the Justices of the Peace in their next Sessions to be held for the said City, who are hereby impowered and required to hear and finally determine the same, and their Determination shall

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be final and concluſive to all Parties, and in the mean Time all other Proceedings upon ſuch Order ſo appealed from ſhall ceaſe.

And be it further Enacted by the Authority aforeſaid, That it ſhall be lawful for any Perſon or Perſons to take and carry away any Dung, Muck, Mooring, or other Manure, Rubbiſh, or Filling, they ſhall find laid in any Highway, Street, or Lane, within the City or Suburbs thereof, or within Fifteen Feet of the Center of any Road or Highways out of the ſaid City and Suburbs, and within the County of the ſaid City, and the ſame to apply to their own Uſe, and in caſe any Perſon ſhall obſtruct or hinder the taking the ſame, or in caſe any Perſons ſhall throw or lay, or ſhall cauſe or ſuffer to be thrown or laid any Coal-aſhes, Duſt, Dirt, Rubbiſh, Dung, or other Filth, in any open Street, Lane, or Paſſage, or Alley, within the ſaid City or Suburbs thereof, before the reſpective Houſes, Buildings, or Walls, or before the Walls of Publick Buildings, all ſuch Perſons ſo offending, ſhall upon Conviction before the Mayor, or any other Magiſtrate of the ſaid City, by Confeſſion of the Party, or the Oath of one credible Witneſs, forfeit the

the Sum of Five Shillings, to be raised by Sale of the Offenders Goods, and to go, one Moiety thereof to the Person who sues or prosecutes, and the other to the Poor of the Parish, and the Person so offending, if unable to pay the said Fine, shall be committed to Prison for a Space not exceeding one Week; provided that nothing herein contained shall extend to Persons who in reparing or building any House or other Building, shall throw out any Dirt or Rubbish, so as such Persons in Forty eight Hours after such Dirt and Rubbish shall be thrown into the said Streets, Passages, or Lanes, shall cause the same to be carried away. CHAP. XVII.

And for the more effectual cleansing the Streets, Lanes, Alleys, Passages, and Quays, within the said City and Suburbs, be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor and Common Council of the said City, from Time to Time, to appoint two or more fit Persons to be Scavingers for the said City and Liberties, to cleanse and sweep the Streets, Lanes, Alleys, Passages, and Quays thereof, and to carry and take away all Dirt and other Filth from the same, un-

der such Clauses, Restrictions, Penalties, Powers, and Orders, or otherwise, as to the said Mayor and Common Council, or the majority of them in Council assembled shall seem meet and expedient, and that the Grand Jury at each Assizes to be held for the County of the said City, shall and may present any Sum not exceeding five Pounds, for the Sallary of each of such Scavingers.

And be it further Enacted by the Authority aforesaid, That if any person driving any Carr, Dray, or Cart, through any of the Streets, Highways, Passages, or Lanes in the said City of Cork, or Suburbs thereof, shall ride upon such Cart, Dray, or Carr, not having some person on Foot to guide the same, or shall drive or lead the same in such Manner as to endanger the Lives or Limbs of the Passengers, it shall be lawful to and for any Person or Persons, on View of any Driver or Drivers, Leader or Leaders of any Carr or Carrs, Dray or Cart offending herein, to seize upon such Driver and Carr, Dray, or Cart, and to carry such Driver and Carr, Dray, or Cart, before the Mayor, or any other Justice of the Peace of the said City of

Cork,

Cork, and that every ſuch Offender being thereof convicted before the Mayor or other Juſtice of the Peace of the ſaid City, by Confeſſion or the Oath of One credible Witneſs, ſhall for every ſuch Offence forfeit five Shillings, to be levied by Diſtreſs and Sale of the ſaid Cart, Dray, or Carr, if belonging to the Offender or of any other Goods belonging to him, by Warrant under the Hand and Seal of the ſaid Mayor or other Juſtice, which they are hereby required reſpectively to grant; One Moiety to the Perſon who ſhall ſue and proſecute for the ſame, and the other Moiety to the Poor of the Pariſh, or the Perſon ſo offending ſhall be ſent to the Houſe of Correction, there to be kept to hard labour for any Time not exceeding five Days, or be publickly whipt through the Main Street, of the ſaid City, at the Diſcretion of the ſaid Mayor or other Juſtice, if the Perſon ſo offending ſhall not pay the ſaid Fine within two Hours after he is arreſted for the ſaid Offence.

And whereas the Court of Conſcience held before the Mayor of the ſaid City, and before each of the Aldermen of the Ward of the ſaid City, for determining Cauſes in all ſmall Debts between Party

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and Party, under the Value of forty Shillings, has been of great Use; Be it Enacted by the Authority aforesaid, That the Jurisdiction thereof be established, ratified, and confirmed; provided allways, that no Person shall be longer confined by Virtue of any Warrants or Committment by the said Mayor or Aldermen of the Ward, under such Authority or Jurisdiction of the said Court of Conscience, for any Debts not exceeding in the whole Twenty Shillings, than three Kalendar Months, to be computed from the first Day of such Committment, and that no Person shall be longer confined by the Authority aforesaid, for any Debts exceeding Twenty Shillings, and under forty Shillings, than the Term of six Kalendar Months, to be computed as above, and that from and after the respective Determinations of such Confinements, the Debt or Debts, for which said Person or Persons shall have been so confined, shall be totally discharged to all Intents and Purposes, as if such Debtor or Debtors had actually paid the same.

And whereas by an Act of Parliament, passed in this Kingdom, in the ninth Year of his late Majesty King George the Second,

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Second, intituled, An Act for rebuilding the Cathedral Church of Saint *Finbary*, in the City of *Cork*, and for erecting a Work-house in the City of *Cork*, and for employing, and maintaining the Poor, punishing of Vagabonds, and for providing for and educating Foundling Children, it Was therein enacted, among other Things, that for all sorts of Coal and Culm, which from and after the said first Day of May One thousand seven hundred and thirty six, shall be imported, landed, or discharged, within the said City of Cork, or County of the said City, there shall be paid during the Term of thirty one Years, by Way of Imposition thereon, over and beside all other Impositions and Duties payable thereon, the additional Rate or Duty of one Shilling per Ton, which said Imposition or Duty, shall be answered or paid to the Governors of the Work-house of the said City of Cork aforesaid, or to their Deputy or Deputies, Officer or Officers, thereunto constituted and appointed, by every Master, Owner or Owners, or other Person or Persons, taking Charge of any Ship or Vessel, whereupon such Coals or Culm shall be laden, before they shall break Bulk, or deliver out any Coals or Culm.

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And whereas the Funds for supporting the said Work-house are scarce sufficient for that Purpose, and the Duties payable under, and by Virtue of the said recited Clause, are one of the Principal Supports thereof: Be it enacted by the Authority aforesaid, That the said recited Clause, and the Duties payable under, and by Virtue of the same, shall be continued, and be, and remain in full Force for the Use and Benefit of the said Work-house, from the said first Day of May, which will be in the Year One thousand seven hundred and sixty seven, for and during the further Term of thirty one Years, from thence forth fully to be compleat and ended, at, and under, and subject to the several Powers, and in Manner as in the said recited Clause is set forth.

And whereas it is of the utmost Consequence to the City of Cork, and will conduce to preserve the Lives of many of the Inhabitants thereof, and of others resorting thereto, that a Parapet Wall, or Rails be built or erected on the several Quays, and on the Edges of the several Dykes and Cannals therein, and in the Suburbs thereof, as great Numbers of

of Persons have lost their Lives by falling over the said Quays, and Horses and Carriages have fallen into the said Dykes and Canals: Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor and Council of the said City of Cork, to order and direct the Building of Parapet Walls of the Height of four Feet, and Breadth not exceeding two Feet, on the several Quays, and on the Edges of the several Dykes and Canals of the said City and Suburbs, leaving proper Openings convenient for the Shipping and Landing Goods, and Merchandize, by giving notice in Writing to the chief Tenants, inhabiting or dwelling in the several Houses, or occupying the Cellars and other Buildings on the said Quays and Dyches, or in Case the said Houses be Waste, or any Part of the Ground fronting the said Quays, Canals, or Dykes be unbuilt, to the Owner, or other Person interested therein, before whose Tenements or Ground such Parapet Wall is to be built, and upon such Notice every chief Tenant inhabiting or dwelling in every such House, or occupying such Cellars or other Buildings, and the Owners or other Persons interested in such

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Waste Houses or Ground unbuilt, shall within two Months after such Notice given, build a Parapet Wall, of the Dimensions aforesaid, with Stone or Brick, and Lime, and Sand, along the Edge of the said Quays, or Dykes, fronting his or their Respective Houses, and Concerns, and if the same are situate on the Corners of any of the said Quays, round such Corners as far as their Respective Houses, Cellars, Buildings, or Waste Ground extend and run, and to no further Extent, leaving such Openings as aforesaid, if necessary; and that every such Tenant and Occupier of such House, Cellar, or other Building, or Owner, or other Person interested in any such Waste House, or Ground unbuilt, before whose Premisses any such Opening shall be left, shall allways, except in Times of Shipping, or Landing Goods, there keep such Opening guarded by two Wooden Rails or Iron Bars to extend across such Opening in the said Parapet Wall on each Side.

Provided allways, That if any of the said Inhabitants, Owners, or Occupiers of Houses, or other Premisses shall think fit to erect Iron Rails on the Edges of the said Quays, before their Houses or Tenements

Tenements, of the Height of Four Feet, that it shall be lawful and sufficient for them so to do; and in case any chief Tenant or Occupier of any such House, Cellar, or other Building, or the Owner or other Person interested in any such waste House or Plot of Ground unbuilt, shall neglect or refuse by the Space of Two Months after Notice given in Writing to build such Parapet Wall in Manner herein before directed, or to erect and fix such Rails as aforesaid instead thereof, every such Person shall forfeit Twenty Shillings for every Space of Twenty one Feet of such Wall that shall be so omitted to be built, and the like Sum for every Month afterwards that the same shall be so omitted, and so in proportion for any other less Space of Time, or of Ground, such Penalty to be recovered before the Mayor of the said City, by the Oath of One or more Witness or Witnesses, or by the Confession of the Party, and upon Conviction to be levied by Distress and Sale of the Offenders Goods, or of the Goods of any Person found in or upon the Houses, Cellars, Buildings, or Ground, before which such Walls shall be so neglected to be built, by Warrant under the Hand and Seal of the said

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Mayor, which Warrant he is hereby impowered to grant, and to be to the Use of the Poor of the Parish in which the said Offence shall be committed, and over and above the said Penalty, it shall and may be lawful to and for the said Mayor to provide Materials, and employ and set Masons to work, to build and finish such Parapet Wall as aforesaid, and thereupon shall compell the chief Tenant in such Houses, and the Occupiers of such Cellars or other Buildings, and the Owner or other Person interested in such waste House or Ground unbuilt respectively, to pay the reasonable Price for building such Parapet Wall, and the Materials thereof, by issuing his Warrant for levying the same by Distress, and causing so much of the Offenders Goods, or the Goods of any Person found in or upon the Houses, Cellars, other Buildings, or Ground before which such Walls shall be so neglected to be raised, to be sold, as will pay for the same, and if any Person, before whose Premisses any such opening, shall be left, shall neglect or refuse to keep the same guarded with two wooden Rails as aforesaid, except at Times of shipping or landing Goods there, every Person so offending shall for

for every such Offence forfeit five Shillings, to be recovered and applied in Manner aforesaid. CHAP. XVII.

Provided allways, and be it Enacted by the Authority aforesaid, That if any such Chief Tenant inhabiting or occuping any such House, Cellar, or other Buildings, or interested in such Waste Ground as aforesaid, be only a Tenant at Will, or a yearly Tenant of the same, or if no more than two Years of his Lease or Interest be unexpired, that in every such Case, such Tenants at Will, or yearly Tenant, or Tenant for two Years, shall and may retain in his or her Hands, out of the Rent then due, or to be afterwards due, from him to his next immediate Landlord, so much of such Rent as will be sufficient to reimburse him the Money expended on his Part of the said Parapet Wall, and that in Case the Person or Persons who shall build any such Parapet Wall at the Time the same shall be compleated, shall have in the House, Houses, or other Premisses, or belonging to which such Wall shall be built, an Interest exceeding two Years, and not less than five Years, that in such Case such Person or Persons shall and may retain three

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fourths of the Expence of raiſing ſuch Wall; and in caſe of an Intereſt not exceeding five Years, and not leſs than ten Years, or one Life, that ſuch Perſon or Perſons may retain one half of the Expence, and in caſe of an Intereſt exceeding ten Years, and not leſs than fourteen Years, or two Lives, that ſuch Perſon or Perſons may retain one fourth of the Expence from the next immediate Landlord, and every immediate Landlord from whom there ſhall be any ſuch Retainer, and all other Landlords, ſhall and may reſpectively retain from their next immediate Landlord or Landlords, in ſuch Proportions as aforeſaid, Relation being had to the Duration of their ſeveral and reſpective Intereſts at the Time of ſuch Wall being finiſhed and compleated, and that every Perſon or Perſons intitled to make any ſuch Retainer in virtue of this Act, ſhall and may plead ſuch Retainer in Barr for ſo much to any Action, or other Remedy brought by his ſaid Landlord againſt him for the Recovery of Rent, or otherwiſe avail himſelf thereof as if he had actually paid the ſame in Money; and if any Perſon or Perſons ſhall break or pull down the ſaid Parapet Wall or any Part thereof, or pull any Stone or Stones out of the ſame,

same, every Person so offending, shall for every such Offence forfeit the Sum of five Shillings, to be levied and applied as aforesaid, and if no Goods of the Offender can be found, he, she, or they, shall be sent to the House of Correction, there to be kept at hard Labour by the Space of three Days, and if any Person or Persons shall in the Night Time steal and carry away, or otherwise destroy or pull from its fixture, any Iron Rails that shall be fixed on any of the said Quays, or any Wooden Rail or Rails, or Iron Bar or Bars, to be fixed in the Openings to be left in the said Wall, or any Lock or Irons for fastening Sticks, Rails, every Person so offending, shall upon Conviction be adjudged guilty of Felony, and shall either be transported for seven Years, or burned in the Hand, or publickly whipt, at the Discretion of the Judge who shall try such Offender.

And whereas great Abuses are daily practised and committed by the Bakers of the said City of Cork, in Baking Bread for Sale for want of proper Entouragement, and sufficient Allowance being made to the Bakers of the said City, and in regard the Quarter of Wheat,

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when baked into House-hold Bread, is found not to produce as many Loaves of the Weight mentioned in the Table of Assize, as will make up the Middle Price of Corn, and the Allowance intended for Bakers: For Remedy whereof, be it Enacted by the Authority aforesaid, That from and after the first Day of May One thousand seven hundred and sixty four, the Mayor of the said City of Cork, be and is hereby directed, to give the Bakers in the said City and Liberties thereof, an Allowance of nine Shillings on each Quarter of Corn, for House-hold Bread, by adding the same to the Middle Price of Wheat, to be calculated as is directed herein and by an Act of Parliament passed in the Eleventh Year of the Reign of His late Majesty King George the Second, intituled, An Act for buying and selling all sorts of Corn and Meal, and other things therein mentioned by Weight; and for the more Effectual Preventing the Frauds, committed in the Buying and Selling thereof, and for regulating the Price and Assize of Bread, and for better regulating the Markets, is directed and to be set according to the Table therein mentioned, and to give an Allowance of eight Shillings only, on the

Quarter

Quarter of White, and Wheaten Bread, to be baked in the said City of Cork, and the Liberties thereof, by adding the same to the middle Price of Wheat, and to be set according to the Table in the said Act mentioned. CHAP. XVII.

And be it further Enacted by the Authority aforesaid, That the Mayor, and Common Council of the said City of Cork, for the Time being, shall as often as they judge Necessary, during the Continuance of this Act, make any further reasonable Allowance to the Bakers within the said City, and Liberties of the City of Cork, as in their Discretions they shall think fit, on every Quarter of Wheat made and baked in the said City, into Houshold Bread, in such Manner as the former Allowances, or to make any further Allowance as the Mayor of Cork, as Chief Magistrate of that City, might have made before this Act.

And be it further Enacted by the Authority aforesaid, That in all Cases, where any Replevin shall be brought for any Goods or Chattles, taken for Levying any of the Penalties, Forfeitures,

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Taxes, Rates, or Sums of Money by this Act directed to be levied or paid, that in every such Case, the Mayor of the City of Cork for the Time being, shall and may, at the Desire of any of the Parties, issue a Summons to the several Parties, Plaintiffs and Defendants, in such Replevin, or who shall otherwise appear to him to be interested therein, and shall and may thereupon proceed in a Summary way to hear and determine the Merits thereof, and in case of Difficulty, may adjourn the same to the next Meeting of the Court of Record of said City, and order a Jury to be impannelled for the Tryal of any Matter or Matters of Fact, if he shall think fit, and upon the Return of such Verdict, or otherwise, shall and may make such final Order as he shall think just and reasonable, which shall be concluſive to all Parties, and the Sheriffs of the City of Cork, and every other Officer bound to make return to such Replevin, shall and may return, that the Goods and Chattles, therein mentioned, were taken in the County of the City of Cork, in pursuance of an Act of Parliament made in the fourth Year of His present Majesty,

Majesty for Regulation of said City, and that the Mayor of Cork hath assumed the Determination thereof, and such Return shall be allowed as a sufficient Return and Justification, if true, to the Sheriffs or other Officer who shall make the same.

And be it further Enacted by the Authority aforesaid, That this Act shall in all Courts or Places be deemed to be a publick Act, and shall be judicially taken notice of by all Judges, Justices, and Courts whatsoever, without specially pleading the same; and if any Person shall be sued or molested for any thing done by Virtue or in Pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence for his Defence, and if the Plaintiffs shall discontinue their Action, or be Nonsuit, or if Judgment shall be given against them on Verdict or Demurre, the Defendant shall recover double Costs of Suit.

And be it Enacted by the Authority aforesaid, That the several Clauses of this Act, for which no Continuation is herein before mentioned, may continue and

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remain in full Force and Virtue from the first Day of May One thousand seven hundred and sixty four, for the Term of thirty one Years, and from thence to the End of the then next Session of Parliament.

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AN

ACT

FOR

The better Diſcovery of Charitable Donations and Bequeſts.



DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN

ACT

FOR

The better Diſcovery of Charitable Donations and Bequeſts.

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CHAP. XVIII.

WHEREAS the pious Intentions of many Charitable Perſons are frequently defeated by the Concealment or Miſapplication of their Donations or Bequeſts to publick or private Charities in this

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Kingdom: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fifth Day of June, One thousand seven hundred and sixty four, the Vicar General or his Surrogate, and the Register of the Prerogative, shall make a Return to the Bishop of the Diocese, or to his Grace the Archbishop of Armagh, respectively on or in every Year at the Annual Visitation, or between the Twenty fifth Day of March and the Twenty fourth Day of June, in every Year, of every charitable Donation or Bequest contained in any Will, which shall be entered in the Office of such Vicar General, Surrogate, or Register, which Return shall likewise contain the Name of the Testator, the Name or Names of the Person or Persons, to whom a Probate of any such Will, or Letters of Administration, with such Will annexed, shall be granted, with the Date of such Will, Probate, or Administration, and Copies of such Returns, upon Oath, shall be lodged the beginning of the succeeding Session of Parliament with the Clerk of each House, and every such

such Officer as aforesaid, who shall neglect to make such Return as aforesaid, shall forfeit the Sum of Five Pounds Sterling, to be recovered by any Person who shall sue for the same, by Civil Bill before any of the Judges of Assize in their respective Circuits, or before the Recorder of the City of Dublin, and the Person or Persons to whom the Probate of any such Will, or Letters of Administration as aforesaid, shall be granted, shall within Three Kalendar Months next after the obtaining the same, publish in the Dublin Gazette, three Times successively, every Charitable Donation, or Bequest, contained in such Will, the Name of the Testator, the Date of such Will or Codicil, and the Name of the Person or Persons to whom such Charitable Donation and Bequest is given and bequeathed, and the Name of the Person or Persons appointed by the Testator for the Management and Direction thereof, and the Expence of such Publication shall be paid by the said Executors or Administrators, out of the said respective Charities, and every such Person or Persons, who shall neglect to publish the same in Manner herein required, shall forfeit for every such Neglect the Sum of Fifty

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Pounds Sterling, to be recovered by any Perſon that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, in which no Eſſoign, or Wager of Law, ſhall be allowed, or more than one Imparlance.

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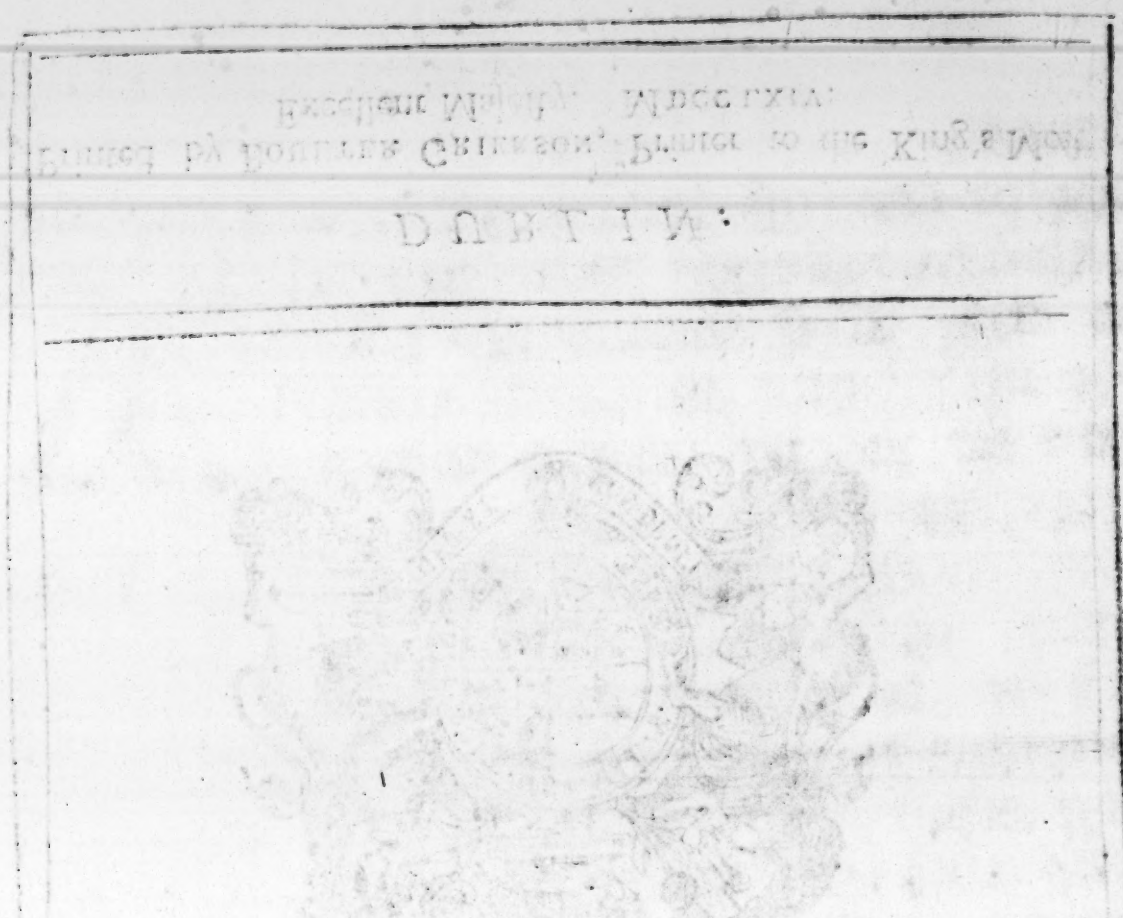
FOR

Indemnifying all ſuch Perſons as have been or ſhall be aiding in the diſperſing of Riots and apprehending the Rioters.

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DUBLIN:

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AN

ACT

FOR

Indemnifying all ſuch Perſons as have been, or ſhall be aiding in the diſperſing of Riots, and apprehending the Rioters.

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WHEREAS of late many unlawful Riotous and Tumultuous Aſſemblies have been in divers Parts of this Kingdom, and whereas it is the Duty of Juſtices of the

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Peace, and of the Sheriff, and under Sheriff of the County, where any unlawful Riot or tumultuous Assembly shall be, taking with them, if need be, the Power of the County, to arrest the Offenders so as to bring them to Justice, be it therefore Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That on Notice or Knowledge of any such unlawful, riotous, and tumultuous Assembly, every Justice of the Peace, Sheriff, under Sheriff, Mayor, Bailiff, and other head Officer, within the Limits of their respective Jurisdictions, taking with them the necessary Assistance, (and they are hereby authorized and impowered to Command all His Majesty's Subjects of Age and Ability, to be assisting to them therein) shall resort to the place where such unlawful, riotous, and tumultuous Assembly shall be, and there use their utmost Endeavours to disperse the same, and to apprehend and seize the Offenders, in order to their being proceeded against according to Law, and that if the persons so unlawfully, riotously, and tumultuously Assembled, or any of them, shall

ſhall happen to be killed, maimed, or hurt, in the diſperſing, ſeizing, or apprehending, or the endeavouring to diſperſe, ſeize, and apprehend them, that then every ſuch Juſtice of the Peace, Sheriff, under Sheriff, Mayor, Bailiff, head Officer, or other Peace Officer, and all and ſingular Perſons being aiding or aſſiſting to them or any of them, ſhall be freed, diſcharged, and indemnified, as well againſt the King's Majeſty, His Heirs and Succeſſors, as againſt all and every other Perſon and Perſons of, for, or concerning the killing, maiming, or hurting any ſuch Perſon or Perſons ſo unlawfully, riotouſly, and tumultuouſly Aſſembled, that ſhall happen to be ſo killed, maimed, or hurt as aforeſaid, and that no Proſecution whatſoever ſhall be had or carried on againſt ſuch Juſtice or Juſtices of the Peace, Sheriff, under Sheriff, Mayor, Bailiff, head Officer, or other Peace Officer, or Perſon ſo aiding or aſſiſting as aforeſaid, on account of any ſuch killing, maiming, or hurting, unleſs the ſame ſhall be commenced within twelve Months next following.

And be it alſo further Enacted by the Authority aforeſaid, That all and every Juſtice of the Peace, Sheriff, under She-

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riff, Peace Officer, or other Person who has been heretofore in Times past concerned, aiding, or assisting in the dispersing, or the endeavouring to disperse any riotous or tumultuous Assembly, in the doing of which it may have happened that some Person or Persons have been killed, maimed, or hurt, shall be also in like Manner, and for ever freed, discharged, and indemnified of, for, or concerning, all such killing, maiming, or hurting, if no Prosecution for the same has been already, or shall be commenced on or before the Twenty fourth Day of June, in the Year of Our Lord One thousand seven hundred and sixty four.

AN

CHAP.
XX.

AN

ACT

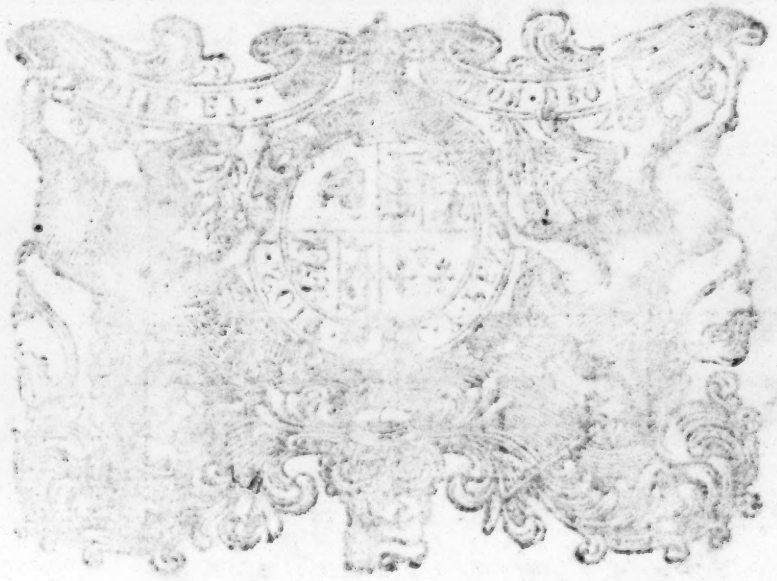
FOR

Continuing ſeveral Temporary Statutes.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

Excellent Medicine. MDCCLXIV.
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DUBLIN.



AN

ACT

FOR

Continuing ſeveral Temporary Statutes.

CHAP. XX.

WHEREAS the ſeveral Temporary Laws and Statutes herein after mentioned, are found to be of general Uſe and fit to be continued, be it Enacted CHAP. XX.

CHAP. XX.

Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That an Act passed in the Third Year of his late Majesty King George the Second, intituled, An Act for the Discovery of Jndgments in the Courts of *King's Bench*, *Common Pleas*, and *Exchequer* at *Dublin*, and for the greater security of Purchasers, and which said Act has been continued by several Acts of Parliament, but is now near expiring, shall and may be continued for eleven Years, from the Twenty fifth Day of March One thousand seven hundred and sixty four, and to the End of the then next Session of Parliament, after the Expiration of the said Term of eleven Years.

And be it Enacted by the Authority aforesaid, That an Act passed in the Twenty fifth Year of his late Majesty King George the Second's Reign, intituled, An Act for the more effectual Execution of Orders of Courts of Justice for giving and quieting Possessions, and also for the more effectual bringing to Justice such Persons as shall insist His Majesty's Subjects to serve as Soldiers in foreign Service

Service without Licence, and which said Act was by an Act made in the Thirty first Year of the Reign of His said late Majesty, continued in Force for seven Years, from the first Day of June One thousand seven hundred and fifty eight, and to the End of the then next Session of Parliament, shall and may be continued for seven Years from the first Day of June next, and to the End of the then next Session of Parliament after the Expiration of the said Term of seven Years.

CHAP. XXI.

AN

ACT

FOR

Continuing and Amending two ſeveral Acts of Parliament therein mentioned, and for the more Effectual preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, and for other Purpoſes therein mentioned.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

AN

ACT

FOR

Continuing and Amending two ſeveral Acts of Parliament therein mentioned, and for the more Effectual preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, and for other Purpoſes therein mentioned.

CHAP. XXI

CHAP. XXI.

WHEREAS by an Act paſſed in the thirty third Year of the Reign of His late Majeſty King George the Second, intituled, An Act for the better regulating the Collection of His Majeſty's Re-

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venue, and for preventing of Frauds therein; **and for repealing an Act made the last Session of Parliament, intituled,** An Act for Continuing and Amending ſeveral Laws heretofore made relating to His Majeſty's Revenue, and for the more effectual preventing of Frauds in His Majeſty's Cuſtoms and Excile; **and the ſeveral Acts and Statutes which are mentioned in the ſaid Act, and continued thereby and by one other Act of Parliament, paſſed in the ſecond Year of the Reign of His preſent Majeſty King** George **the Third, intituled,** An Act for Continuing and Amending an Act, **intituled,** An Act for the better Regulating the Collection of His Majeſty's Revenue, and for preventing Frauds therein; **and for repealing an Act made the laſt Seſſion of Parliament, intituled,** An Act for Continuing and Amending ſeveral Laws heretofore made relating to His Majeſty's Revenue, and for the more effectual preventiug of Frauds in His Majeſty's Cuſtoms and Exciſe; **and the ſeveral Acts and Statutes which are mentioned in the ſaid Act, and continued thereby, ſeveral Proviſions were made for regulating the Collection of His Majeſty's Revenue, and preventing Frauds therein, which have been found to be of general Uſe, but are now near expiring: be it Enacted by the King's Moſt Excellent**

lent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the said two recited Acts, and all and every the Clauses therein respectively contained (except such Parts thereof as are altered by this present Act) shall continue and be in Force for the Space of two Years, from the Twenty fourth Day of June One thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament, and no longer. CHAP. XXI.

And whereas by the said recited Act, made in the Thirty third Year of the Reign of His said late Majesty King George the Second, certain Excileable Commodities therein particularly enumerated, on being carried or conveyed into the inland Parts of this Kingdom, are liable to Seizure by any of the Officers of His Majesty's Revenue, and to be forfeited as run Goods, unless the Carrier or Person that conveys the same shall actually produce a Permit or Let-pass, given by the proper Officer of the Revenue, for the Carriage of the said Goods, if demanded or required so to do by the said Officer; be it further

CHAP. XXI.

Enacted by the Authority aforesaid, That all and every the Provisions and Directions in the said recited Act, relative to Permits or Let-passes, for the Goods therein particularly enumerated, shall extend, and are hereby declared to extend, to all Kinds of Snuff above the Weight of four Pounds, that shall be carried or conveyed into the inland Parts of this Kingdom, as fully and absolutely to all Intents and Purposes, as if Snuff had been mentioned or inserted in the said recited Act among the several other Goods therein enumerated.

And whereas by the said recited Act, made in the Thirty third Year of His said late Majesty's Reign, there is a Penalty or Forfeiture of treble the Value of any Goods or Merchandizes shipped to be exported, for which any Allowance is to be made, or Drawback given, in case the same should afterwards be unlawfully unshipped or re-landed in the Kingdom of Ireland: be it further Enacted by the Authority aforesaid, That over and above the said Penalty or Forfeiture of treble the value of such Goods and Merchandizes, all and every such Goods and Merchandizes (commonly called Debenture Goods) that

that shall be unlawfully unshipped or relanded in the Kingdom of Ireland, after having been shipped for Exportation, shall be seized and forfeited in the same Manner as Goods landed without Payment of the Duties due and payable thereupon are, by the Laws now in being, to be seized and forfeited.

And be it further Enacted by the Authority aforesaid, That all and every Master, Purser, or other Person having Charge or Command of any Ship or Vessel trading in or to any of the Ports of this Kingdom, shall accommodate such Officer or Officers of the Revenue, as shall be placed on Board such Ship or Vessel, with Beds or Hammocks, not exceeding two at one Time, to rest or sleep in under the Deck of such Ship or Vessel, upon pain of forfeiting the Sum of five Shillings English Money, for every Twenty four Hours such Master, Purser, or other Person having Charge of such Ship or Vessel, shall neglect or refuse so to do, which said Penalty shall and may be recovered against the Master, Purser, or other Person having Charge or Command of such Ship or Vessel, by Warrant under the Hands and Seals of the Commissioners and

CHAP. XXI.

Sub-Commiſſioners of Excile, in their ſeveral and reſpective Diſtricts, or the major part of them, to arreſt the Perſon of ſuch Maſter, Purſer, or other Perſon, having the Charge or Command of ſuch Ship or Veſſel, and to commit him or them to the Goal of the City or County wherein ſuch Warrant ſhall be granted, there to remain until the ſaid Penalty is paid, a Summons being firſt iſſued, and Proof made of the ſaid Offence, either by the Confeſſion of the Party charged therewith, or by other ſufficient Evidence upon Oath, which Oath the Commiſſioners and Sub-Commiſſioners in their ſeveral and reſpective Diſtricts, or the major Part of them, are hereby authorized to adminiſter.

And whereas by the ſaid recited Act, made in the Thirty third Year of the Reign of His ſaid late Majeſty King George the Second, it is provided, That any Perſon or Perſons who ſhould diſtil Spirits, Aqua Vitæ, or ſtrong Waters, for his or their own Uſe only, and not for Sale, might make Uſe of any Still, Black Pot, or Alembick, which ſhould contain no greater or larger Quantity of Waſh or Pot-Ale than Twelve Gallons in

in their respective Places of Abode: And whereas private Distillers for Sale, in Order to evade the Payment of His Majesty's Duties, have furnished themselves with a Number of private Stills, no one whereof is sufficient to contain a greater Quantity of Wash or Pot-Ale than twelve Gallons, by Means whereof several Frauds have been committed, and are daily practised by such private Distillers for Sale, to the great Detriment of His Majesty's Revenue; For Remedy whereof be it further Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty four, no Person or Persons shall have or keep in his, her, or their Custody or Possession, or shall make Use of more than one Still, Black Pot, or Alembick, of the Dimensions of twelve Gallons or under, (other than and except a Brazier or other Manufacturer in Metal) or shall have or keep at any one Time in his, her, or their Possession, a Quantity of Pot-Ale or Wash, exceeding sixty Gallons, and that if more than one Still, Black Pot, or Alembick, of the Dimensions of twelve Gallons or under, shall be found in the possession of any Person, except as aforesaid, or if a greater Quan-

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tity of Pot-Ale or Wash, than sixty Gallons shall be found in the Possession or Custody of any Person (except common Distillers for Sale) then and in that case all such Stills, Black Pots, or Alembicks, shall and may be seized, and shall be forfeited, and it shall and may be lawful for any Officer of the Revenue to spill all such Pot-Ale or Wash that shall be found or discovered, over and above the Quantity of sixty Gallons, and the Person or Persons in whose Custody the same shall be found, shall be deemed and taken to be a common Distiller or common Distillers for Sale, and be subject and liable to the Payment of Duties, and all other Penalties, Forfeitures, and Regulations, as common Distillers for Sale are, by the Laws now in Being, subject and liable unto.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One Thousand seven hundred and sixty four, every Still, Black Pot, and Alembick, for making or distilling Aqua Vitæ or Spirits from Pot-Ale, Sugar Wash, or decayed Wines, which cannot contain more than twelve Gallons, shall, before the same is set at Work, be entered and registered in the

Office

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Office of Excise of the District wherein such Still, Black Pot, or Alembick is intended to be set at Work, which Entry or Registry shall contain the Christian Name and Sirname of the Person to whom such Still, Black Pot, or Alembick shall belong, and the true Contents of the same, and the Place where such Still, Black Pot, or Alembick is fixed, or intended to be fixed, and the Day of the Month when such Registry is made, and the Officer of Excise shall thereupon grant a Certificate thereof, and if any Still, Black Pot, or Alembick, which shall not be sufficient to contain more than twelve Gallons, shall after the said Twenty fourth Day of June, One thousand seven hundred and sixty four, be found or discovered in the House or Possession of any Person or Persons (other than and except a Brazier or other Manufacturer in Metal) not entered or registered in Manner aforesaid, then every such Still, Black pot, or Alembick, shall be seized and forfeited, and all Wash and Pot-Ale which shall be found therein shall be spilled, and all sold Wines and strong Waters which shall be found therein shall be likewise forfeited, and also the Sum of five Pounds Sterling.

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And be it further Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and sixty four, every Distiller or Maker of low Wines, Spirits, Aqua Vitæ, or strong Waters for Sale, or the Person or Persons employed by him, her, or them, to attend his, her, or their Still-house, shall from Time to Time, and as often as such Distiller shall be required by the Officer or Officers appointed to view, guage and take an Account of such low Wines, Spirits, Aqua Vitæ, or strong Waters, shew to such Officer or Officers all the Stock then on Hand of Spirits, Aqua Vitæ, or strong Waters, belonging to such Distiller, under the Penalty of ten Pounds, in case of Refusal, to be forfeited by such Distiller, and five Pounds to be forfeited by the Servant or other Person attending the said Still-house; and in case such Officer or Officers shall afterwards find any Spirits, Aqua Vitæ, or Strong Waters of the Stock then in Hand, over and above the Quantity so shewn as aforesaid, that then all such Spirits, Aqua Vitæ, and strong Waters, shall be forfeited, and such Distiller shall forfeit the Sum of twenty Shillings for every Gallon

ion of Spirits, Aqua Vitæ, or strong Waters, that shall be found or discovered in the possession of such Distiller, over and above the Quantity so shewn as aforesaid. CHAP. XXI.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and sixty four, no Distiller or Distillers for Sale shall set in his, her, or their Backs, or other Vessels made Use of for fermenting Wash of Molosses or Sugar, any less Quantity of Wash than Four hundred Gallons at any one Time, on Pain of forfeiting ten Pounds for every such Offence, to be recovered in Manner herein after mentioned.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty four, all Wash, Pot-Ale, low Wines, strong Waters, and Spirits, which shall be found in any Field, Garden, Wood, Bog, or Mountain of this Kingdom, and all and every Vessel and Vessels, in which the same shall be found, shall be ad-

CHAP. XXI.

judged, forfeited, and shall and may be seized and carried away by any Officer of his Majesty's Revenue.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and sixty four, all Wash, and Pot-Ale which shall be found in any House, Out-house, or other Place, (not belonging to a common Distiller of Spirits, Aqua Vitæ, or strong Waters for Sale) and where no Still, Black Pot, or Alembick is set and fixed for Distilling of the same, shall be spilled by any Officer of his Majesty's Revenue of Excise, who shall find or discover the same, unless the Sum of ten Pence for every nine Gallons of Pot-Ale, or the like Sum for every six Gallons of Molosses or Sugar Wash, (being the Duties due and payable to his Majesty there from) be immediately paid, or sufficient Security given to such Officer of Excise for the Payment thereof.

And whereas by an Act made in the seventeenth and eighteenth Years of the Reign of his Majesty King Charles the Second, intituled, An Act for the better Ordering

dering the Selling of Wines and *Aqua Vitæ*, together with all Sorts of ſtrong Waters by Retail; **it is Enacted among other Things, that every Retailer of** Aqua Vitæ, **or other Kind of ſtrong Waters whatſoever, ſhall be obliged to take out a Licence for that Purpoſe, and ſhall, for ſuch Licence pay ſuch Sum as ſhall be agreed upon, ſo as none do pay leſs than the Sum of ten Shillings yearly, and none be compelled to pay more in the City and County of the City of** Dublin, **than ten Pounds yearly, and in all other Places than five Pounds yearly.** CHAP. XXI.

And whereas the Number of Spirit Retailers, and the Conſumption of low priced and noxious Spirits have of late grievouſly increaſed in the City and County of Dublin, **to the manifeſt Encouragement of Drunkenneſs, and all Sorts of Diſorders, to the Ruin of many valuable Trades and Manufactures, and to the great Detriment of the Health of His Majeſty's Subjects: For Remedy whereof, be it Enacted by the Authority aforeſaid, That from and immediately after the paſſing of this Act, there ſhall be payable to His Majeſty, His Heirs and Succeſſors, for every Licence to be granted for ſelling** Aqua Vitæ, **or any Kind of ſtrong Waters or Spirits whatſoever**

CHAP. XXI.

ſoever by Retail in the ſaid City, and within four Miles of the Tholſel of the ſaid City, as well within Franchiſes and Liberties as without, ſuch Sum as ſhall be agreed to be paid for ſuch Licence, purſuant to the Direction of the ſaid Act of the ſeventeenth and eighteenth of Charles the Second, ſo as none do pay leſs than the Sum of four Pounds yearly, and none ſhall be compelled to pay more than ten Pounds yearly, any Law to the contrary in any wiſe notwithſtanding.

And whereas there are at preſent great Quantities of loſh priced and noxious Spirts ſold in obſcure and unlicenſed Houſes, and the increaſing the Duty upon Spirit Licences, will be an additional Temptation to Perſons to ſell without Licence: And whereas Abuſes of this Kind do frequently paſs unpuniſhed, in Order therefore for the more expeditious determining and effectual preventing the ſame: Be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any one or more of the chief Commiſſioners of Excile to hear and determine all Complaints, and to levy all Forfeitures that ſhall be made, or incurred by or againſt any Perſon or Perſons for ſelling Spirits without Licence, in the ſame Manner

Manner, and as effectually to all Intents and Purposes, as any Three of the said chief Commissioners are now impowered to do, with like Remedy of Appeal, as herein after mentioned.

And whereas by the said recited Act, passed in the Thirty third Year of the Reign of His late Majesty King George the Second, Recognizances are to be entered into by Persons applying for Licences to sell Victuals, Beer, Ale, Wine and strong Waters in Manner as by the said Act is directed, and such Fees only are to be paid for the same as are allowed by two several Acts of Parliament made in the Reign of King Charles the Second, in the said Act of the Thirty third Year of King George the Second, particularly recited.

And whereas the Fee allowed by the said Act to the Collectors of the Duty arising from Licences, is after the Rate of two Shillings for every Year which should be comprized in such Licence for selling of Wines, and after the Rate of twelve Pence for every Year which should be comprized in such Licence for selling of strong Waters, and no more; and the said Col-

CHAP. XXI.

lectors are not to exact or receive from any Person to be licenced, any Sum of Money, Fee or Reward for the said Recognizance, Licence, or Acquittance, other than as aforesaid, upon Pain of forfeiting the Sum of ten Pounds Sterling, and being put from his Office.

And whereas the Directions in the said recited Act of the Thirty third Year of the Reign of King George the Second, concerning the taking of Recognizances and granting of Licences have occasioned a great additional Trouble and Expence to the Collectors of the Duty arising from Licences, particularly in the District of Dublin, and the Fees allowed by Law for the same are by no means adequate to the Trouble and Expence thereof: Be it therefore Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty four, it shall and may be lawful to and for the Collector of the Duties arising from strong Water Licences, in the Collection of Dublin District, to take and receive from every Person that shall be licenced to sell strong Waters by retail, the Sum of two Shillings, and no more, for every Recognizance, provided

that

that the ſaid Collector do take good and ſufficient Security, that the ſaid Perſons do keep a good and orderly Houſe, according to the Intent and Meaning of the ſaid recited Act; any Thing in the ſaid Acts, or any of them, to the contrary notwithſtanding.

And be it Enacted by the Authority aforeſaid, That from and after the Twenty fourth Day of June, One thouſand ſeven hundred and ſixty four, no Perſon or Perſons whatſoever ſhall be intitled unto, or maintain any Cauſe, Action, or Suit, for, or recover either in Law or Equity, any Sum or Sums of Money, Debt, or Demands whatſoever, for or on Account of any ſpirituous Liquors, unleſs ſuch Debt ſhall have really been, and bona fide contracted at one Time to the Amount of five Shillings or upwards, nor ſhall any particular Article or Item, in any Account or Demand for ſpirituous Liquors be allowed or maintained, where the Liquors delivered at one Time, and mentioned in ſuch Article or Item, ſhall not amount to the full Value of five Shillings at the leaſt, and that without Fraud or Covin, and where no Part of the Liquors ſo ſold or delivered, ſhall have been returned or agreed to be returned

CHAP. XXI.

directly or indirectly; and in case any Retailer of spirituous Liquors shall take or receive any Pawn or Pledge from any Person or Persons whatsoever, by way of Security, for the Payment of any Sum or Sums of Money, owing by such Person or Persons for such spirituous Liquors or strong Waters, every such Person or Persons offending herein shall forfeit and lose the Sum of forty Shillings for each and every Pawn or Pledge so taken in, or received by him or them, to be levied and recovered by Warrant under the Hand and Seal of one Justice of the Peace where the Offence is committed, and that one Moiety thereof shall be to the use of the Poor of the Parish where such Offence is committed, and the other Moiety to the Informer or Informers, and the Person or Persons to whom any such Pawn or Pledge doth or shall belong, shall have the same Remedy for recovering such Pawn, or the Value thereof, as if it had never been pledged.

And be it Enacted by the Authority aforesaid, That no Licence shall be granted for the retealing of spirituous Liquors, Beer, Ale, Wine, Cyder, or other Liquors within any Goal, Prison, House of Correction, Work-house, or House of Entertainment

tertainment for any Parish Poor, and that all Licences granted, or to be granted, contrary to this Provision, shall be void and of no Effect, from and after the said Twenty fourth Day of June One thousand seven hundred and sixty four.

And the more effectually to prevent the running of Tea, which is generally done in small Packages, be it further Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty four, no Tea shall be imported or brought into this Kingdom, or into any Port, Harbour, Haven, or Creek thereof, in any Package whatsoever, that shall not hold or contain at the least ten Pounds Weight of Tea, upon pain of forfeiting all such Tea as shall be imported or brought into this Kingdom in a less Package than ten Pound Weight, or the Value thereof.

And whereas several Merchants, after Payment of the Duties due and payable on Goods, Wares, and Merchandizes imported into the Port of Dublin, suffer the same to lie a considerable Time on the Custom-house Quay of the said Port, to the great Obstruction and Hinderance of other

CHAP. XXI.

Persons having Goods to land on the same Quay: For Remedy whereof be it Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty four, no Person or Persons whatsoever shall suffer his, her, or their Goods, Wares, or Merchandizes, to remain or lye on the Custom-house Quay of the Port of Dublin, for any longer Space of Time than ten Days after the same shall have been landed, and if any Person or Persons shall, contrary to the Directions in this Act mentioned, permit or suffer his, her, or their Goods, Wares, or Merchantdizes to remain on the said Quay for a longer Space of Time than as aforesaid, then, and in that case, all and every Person and Persons so offending, shall forfeit the Sum of Forty Shillings Sterling, for every Day he, she, or they shall suffer his, her, or their Goods, Wares, or Merchandizes to be or remain on the said Quay, after the Expiration of ten Days, to be computed from the Day of landing the same, which said Penalty shall and may be recovered by Civil Bill before the Recorder of the City of Dublin, or the Person appointed to hear Civil Bills in his Absence, and shall be for the sole Use of the Person or Persons who shall without Fraud

or

or Cobin first sue for the same, provided allways, that the Owner of Goods landed, on a Bill of View, shall not be liable to the Penalties aforesaid, until ten Days after the same shall be entered.

And whereas by an Act made in the seventeenth and eighteenth Years of the Reign of King Charles the second, intituled, An additional Act for the better ordering and collecting the Revenue arising by Hearth Money, it was (among other Things) enacted, That it should and might be lawful for the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of this Kingdom for the Time being, and Council, to constitute and appoint such Person and Persons as they should think meet, to be the Officer or Officers for the receiving and collecting the Duty arising by Hearths, Firing Places, and Stoves, by Virtue of the said Act, and of one other Act made in the fourteenth and fifteenth Years of the said King's Reign, intituled, An Act for establishing an additional Revenue upon His Majesty, His Heirs and Successors, for the better Support of His and their Crown and Dignity; And it was further enacted in and by the said first mentioned Act, That it should and might be lawful

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for the said Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors, and Council of this Kingdom for the Time being, from Time to Time to appoint such Persons as they should think fit to do, execute, and perform, all and every the Matters and Things, which by the said recited Act were to be done, executed, or performed by any Justices of the Peace, or Clerks of the Peace of this Kingdom; and whereas for many Years past, the Persons employed in receiving or collecting the Duty arising by Hearths, Firing Places and Stoves, have been appointed by the Commissioners of His Majesty's Revenue, in pursuance of the Powers and Authorities given and granted unto them, in and by the several Letters Patent, or Commissions under the great Seal of this Kingdom, which have from Time to Time been passed, constituting and appointing the several Persons in the respective Letters Patent mentioned to be Commissioners of His Majesty's Revenue in and throughout the Realm of Ireland: And whereas it hath been questioned, whether the Appointment of Officers for the receiving or collecting the said Duties arising from Hearths, Firing Places, and Stoves, by the Commissioners of the Revenue,

venue, in pursuance of the said Letters Patents, or Commissions be strictly legal; For taking away all Doubts concerning the same, be it Enacted by the Authority aforesaid, That all and every the Commissions or Appointments which have heretofore been executed under the Hands and Seals of the Commissioners of His Majesty's Revenue, or any three or more of them, or which shall be executed by them, or any three or more of them, during the Continuance of their present Commission, constituting and appointing the several and respective Persons named or mentioned in such Commissions or Appointments, the Officer or Officers, Collector or Collectors of the Duty arising from Hearths, Firing Places, and Stoves, shall be and are hereby declared to be firm, valid, and effectual in the Law, to all Intents and Purposes whatsoever.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for His Majesty, His Heirs and Successors, by one or more Commission or Commissions under the Great Seal of this Kingdom, to Authorize and Impower the Commissioners of Customs and Excise, or any three or more of them, to appoint

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such Person and Persons as they shall think fitting to be the Officer or Officers, Collector or Collectors, for receiving and collecting the Duty arising by or from Hearths, Firing Places, and Stoves, which said Officers and Collectors so to be appointed, shall have all such Powers and Authorities, as if they had been severally appointed, according to the Directions of the said recited Act of the seventeenth and eighteenth Years of the Reign of King Charles the Second; provided allways, that in case His Majesty, His Heirs and Successors shall not think fit to Authorize and Impower the Commissioners of Customs and Excise, or any three or more of them, to constitute and appoint such Officers and Collectors as aforesaid, that then and in such case, all and every such Officers and Collectors as aforesaid, shall be appointed by such Person and Persons, and in such Manner, as if this Act had never been made.

And be it further Enacted by the Authority aforesaid, That all Contracts of what Nature or Kind soever, made or to be made with any Person or Persons whatsoever for any exciseable Goods or Commodities clandestinely imported, or to be clandestinely

destinely imported into this Kingdom from the Isle of Man, shall be and are hereby declared and adjudged to be Null and Void, and of no Effect, nor shall any Suit be thereupon maintainable in any Court of Law or Equity in this Kingdom. CHAP. XXI.

And be it further Enacted by the Authority aforesaid, That from the Twenty fourth Day of June One thousand seven hundred and sixty four, no Merchant or other Person or Persons who shall import into this Kingdom foreign Silks, not of the Manufacture of Great Britain, shall be intitled to any Drawback whatsoever on exporting or reshipping the same.

CHAP. XXII.

AN

ACT

FOR

Diſcharging all Arrears of Quit, Crown, and Compoſition Rents, which have been growing due for Twenty Years laſt paſt, on the Terms and in the Manner therein mentioned.

DUBLIN:

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FOR

Diſcharging all Arrears of Quit, Crown, and Compoſition Rents, which have been growing due for twenty Years laſt paſt, on the Terms and in the Manner therein mentioned.

CHAP. XXII.

CHAP. XXII.

WHEREAS ſeveral Lands, Rectory, Abbey, Priory, Monaſtry Lands, Tythes, Fairs, Tenements, and Hereditaments, chargeable with Quit Rents, Crown Rents, Compoſition Rents, as other chief Rents payable to His Majeſty, His

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Heirs and Succeſſors, have been for many Years paſſed returned by the Collectors of His Majeſty's Revenue, to whom ſuch Rents have been given in charge as not to be found, and ſuch Rents have been conſtantly carried on and returned in Arrear, by means whereof ſuch Arrears do now amount to conſiderable Sums of Money, and will be great Incumbrances on ſuch Lands, Rectory, Abbey, Priory and Monaſtry Lands, Tythes, Fairs, Tenements and Hereditaments, in caſe the ſame ſhould be hereafter diſcovered: And whereas it is apprehended from the great Length of Time, that ſuch Arrears have been carried on, and the Changes of Names that have happened in ſeveral of the ſaid Lands, Rectory, Abbey, Priory, Monaſtry Lands, Tythes, Fairs, Tenements, and Hereditaments, that the Diſcovery of ſuch Lands, Rectory, Abbey, Priory, and Monaſtry Lands, Tythes, Fairs, Tenements, and Hereditaments, and the Recovery of ſuch Arrears, will become every Day more Difficult and Expenſive, and that giving an Encouragement to the preſent Owners of ſuch Lands, Rectory, Abbey, Priory, Monaſtery, Lands, Tythes, Fairs, Tenements, and Hereditaments to diſcover the ſame, ſo as that the groſſing Rents payable to his Majeſty, his Heirs, and

and Succeſſors, may be hereafter punctu- CHAP.
ally paid, will increaſe His Majeſty's Re- XXII.
venue: Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for every Perſon and Perſons, Bodies Politick and Corporate, at any Time before the Twenty fifth Day of March, which will be in the Year of our Lord One thouſand ſeven hundred and ſeventy, to prefer his, her, or their Petition or Petitions to His Majeſty's Court of Exchequer, thereby ſetting forth that all or ſome of the Lands, Rectory, Abbey, Priory, Monaſtry Lands, Tythes, Fairs, Tenements, and Hereditaments, whereof he, ſhe, or they, is or are ſeized, is or are ſubject or liable to ſome certain Quit Rent, Crown Rent, Compoſition Rent, or other Chief Rent, payable to his Majeſty, his Heirs and Succeſſors, which hath not been paid by him, her, or them, or thoſe under whom they reſpectively derive, for the Space of twenty Years next immediately proceeding the Twenty ninth Day of September, in the Year of our Lord One thouſand ſeven hundred and ſixty four, particularly deſcribing in ſuch Petition the Lands

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liable to the Payment thereof, as well by their present as former Names and Denomination, and thereby submitting to Pay all such annual Quit Rent, Crown Rent, Composition Rent, or other chief Rent, which shall become due from and after the said Twenty ninth Day of September, and praying to have such Lands, Rectory, Abbey Priory, Monastry Lands, Tythes, Fairs, Tenements, and Hereditaments, discharged of and from all Arrears of such Rent incurred, due before the said Twenty ninth Day of September One thousand seven hundred and sixty four, which Petition or Petitions shall be engrossed on Parchment, and signed by the Party or Parties preferring the same, (except in case of a Minor, or Lunatick, and in such Case by the Guardian or Guardians, Committee or Committees of such Minor, or Lunatick) and shall be filed on Record, in the Second Remembrancer's Office, and that a Copy of such Petition shall be read in open Court, on some Day during the Term, or the settings after the Term in which such Petion shall be preferred, or if preferred in the Time of Vacation, then on some Day in the Term next following, and that thereupon an Order shall be made by the said Court, that the Auditor General, or his Deputy or Deputies

ties shall search into the respective Rent-Rolls, Books, and Records, in his Office, and shall certify to the said Court, by a certain Day to be appointed by the said Court, whether any such Rent or Rents, as is or are mentioned in such Petition or Petitions, hath or have been accounted for to His Majesty, or His Predecessors within the Space of Twenty Years next preceding the said Twenty ninth of September One thousand seven hundred and sixty four, a Copy of which Order shall be served on the said Auditor General, or his Deputy, ten Days at the least before the Day appointed for his making such Certificate; and the said Auditor General, or his Deputy, is hereby required to make such Searches, and to certify to the said Court of Exchequer, whether it appears to him that such Rents have been paid or accounted for to His Majesty, or His Predecessors, within the Space of twenty Years next before the Twenty ninth Day of September One thousand seven hundred and sixty four, for which Search the Sum of two Shillings and Sixpence, and no more, and for which Certificate the Sum of six Shillings and eight Pence, and no more, and for entry of a Discharge of such Arrears out of the Rent Rolls

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the Sum of three Shillings and four Pence, and no more, shall be paid to the said Auditor General; and if upon Return of such Certificate, and upon examining into the Truth of the Allegations of such Petition or Petitions by the said Court of Exchequer, in a Summary way, it shall appear to the said Court that the Allegations contained in such Petition or Petitions are true, or if it shall appear that no Quit Rent, Crown Rent, Composition Rent, or other Chief Rent payable to His Majesty, His Heirs, and Successors, hath been paid for or out of such Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Fairs, Tenements and Hereditaments, or hath been accounted for to the Collectors of His Majesty's Revenue for the District wherein such Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Tenements or Hereditaments lie, within the Term of twenty Years next before the Twenty ninth Day of September One thousand seven hundred and sixty four, then and in such Case the said Court of Exchequer is hereby authorized, impowered, and required, to make an Order on such Petition or Petitions, that the said Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Fairs, Tenements

ments or Hereditaments mentioned in such Petition or Petitions, and the Persons who from Time to Time respectively held and enjoyed the same, shall be absolutely freed and discharged of and from all such Rents and Arrears due or in Arrear at any Time before the said Twenty ninth Day of September One thousand seven hundred and sixty four, and shall order the said Auditor General to give in charge such growing Rents as the said Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Tenements, or Hereditaments, shall appear to be charged or chargable with, which shall become due from and after the said Twenty ninth Day of September One thousand seven hundred and sixty four, to the Collector or Collectors of the District or Districts where such Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Fairs, Tenements or Hereditaments, do lie, to the Intent that the same may be duly collected for the future, and that such Order shall be an effectual Discharge against His Majesty, His Heirs and Successors, as to such Arrears.

And be it further Enacted by the Authority aforesaid, That the Collectors of

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His Majesty's Revenue in their several and respective Districts before the next General Assizes which shall happen next after the first Day of March, which will be in the Year of Our Lord One thousand seven hundred and sixty five, for the respective Counties in which their respective Districts lie, to make or cause to be made exact Lists of the Names of all the Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Fairs, Tenements or Hereditaments, situate in their respective Districts chargeable with any Quit Rent, Crown Rent, Composition Rent, or other Chief Rent, payable to His Majesty, His Heirs and Successors, and whereout no such Rent hath been paid for twenty Years before the Twenty ninth Day of September One thousand seven hundred and sixty four, together with the annual Quit Rent, Crown Rent, Composition Rent, or other Chief Rent payable out of such Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Fairs, Tenements or Hereditaments, to His Majesty, His Heirs and Successors, and also the Amount of the Arrears due for the said Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Fairs, Tenements or Hereditaments, respectively at the Time of making such Lists

Lists, which said Lists shall be publickly affixed on the Session-house Doors of the respective Counties wherein such Lands, Rectory, Abbey, Priory, Monastry Lands, Tythes, Fairs, Tenements or Hereditaments do lie, the first Day of the said Assizes, and shall also be read by the Clerk of the Crown, on the second Day of such Assizes, in open Court, to the Intent that all Persons within the said County may have publick Notice of the same, and in like Manner, the said Collector shall continue to make the like Lists, and the same shall in like Manner be published on the Session-house Doors of the said respective Counties, and read in open Court the three next following Assizes, which shall be held for the respective Counties wherein their respective Districts are situate.

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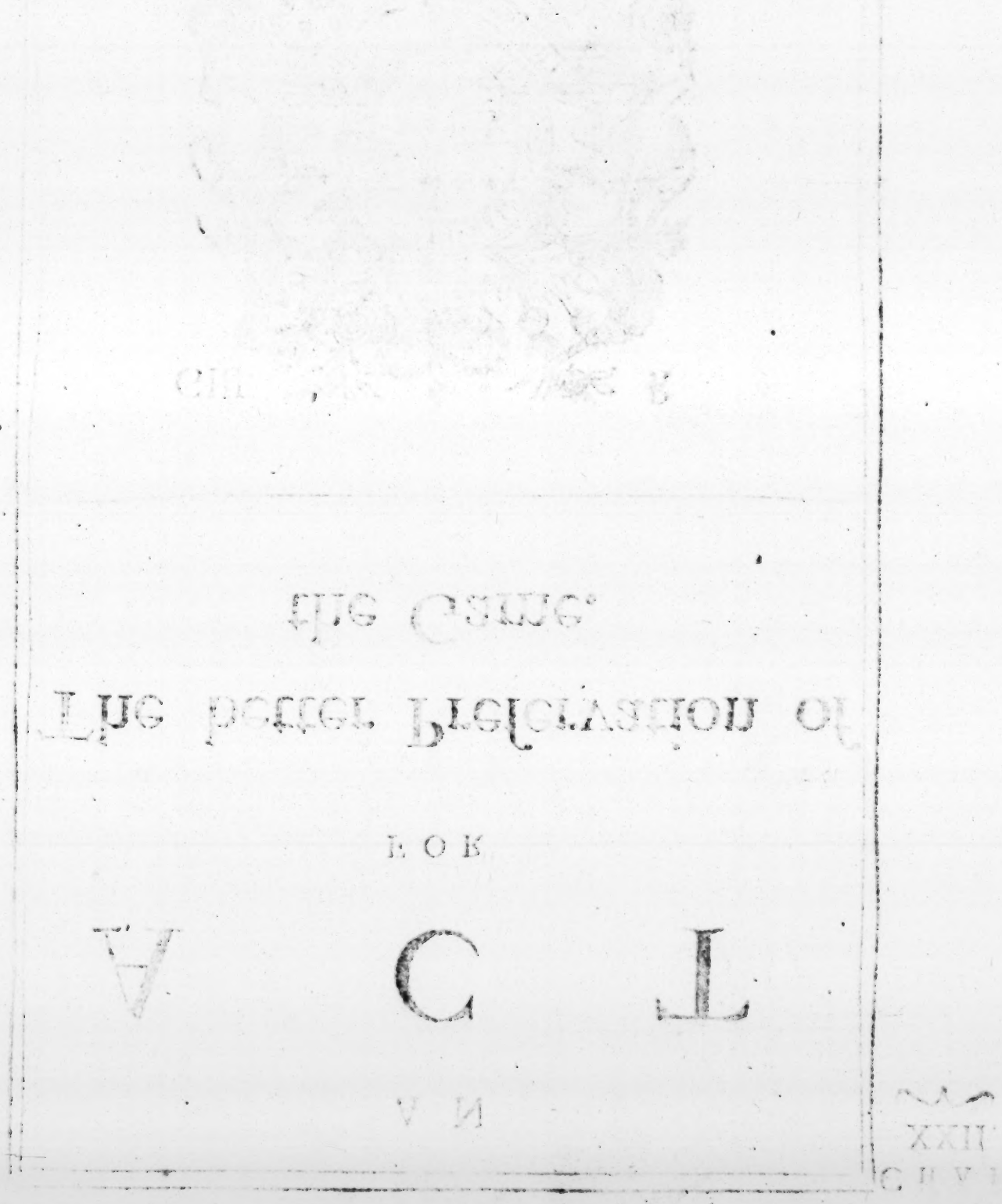
The better Preſervation of the Game.

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CHAP. XXIII.

AN ACT

FOR

The better Preſervation of the Game.

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WHEREAS there is reaſon to apprehend, from the preſent Scarcity of the Game, that the ſeveral Laws heretofore enacted for the Preſervation thereof

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in this Kingdom have proved ineffectual: For Remedy whereof, and to the End that the Rights of Persons of landed Property to the Game, on their respective Estates and Lands, may hencefoyth be better known and ascertained, and may be the less liable to Incroachments or Invasions of others, be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That all and every the Articles and Clauses in the Laws now in Force in this Kingdom for the better Preservation of the Game, which is or are not hereby altered, varied, or repealed, shall have and retain the same Force and Duration as before the making of this Act; and that from and after the first Day of May, in the Year One thousand seven hundred and sixty four, all and every Person or Persons seized in his, her, or their own Rights, or in the Right of his or their Wives, of any Legal or Equitable Estate (and not as a Trustee or Mortgagee) in Lands in Fee Simple, Fee Tail, as Tenant by the Courtesy, or in Dower, or as Tenant for Life under any Will, Deed, or Settlement, shall have

the ſole and abſolute Property in all kind and Species of Game on their reſpective Eſtates and Lands. CHAP. XXIII.

And be it further Enacted by the Authority aforeſaid, That from and after the firſt Day of May in the Year One thouſand ſeven hundred and ſixty four, no Perſon or Perſons whatſoever, except thoſe herein after provided for, ſhall go or enter upon the Land of any other Perſon or Perſons to look for, ſet, ſpring, ſhoot, ſtart, courſe, hunt, hawk, or otherwiſe purſue or take any Sort of Game, unleſs in Company with the Owner, or ſome one of the Owners (if there be more than one) of the Inheritance of ſuch Land, or with the Tenant or Tenants for Life of ſuch Land, not ſubject to any Rent (Quit or Crown Rent only excepted) or by a Licence for that purpoſe, under the Hand of ſuch Inheritor or Tenant for Life, firſt had and obtained, and that each and every Perſon and Perſons offending in any of the Particulars herein ſet forth, being thereof convicted at the Proſecution of ſuch Inheritor or Tenant for Life, or of the Occupier of ſuch Land before two or more Juſtices of the Peace of the County where ſuch Offence ſhall be committed, either on

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the offending Parties own Confession, or on the Oath of one or more credible Witness or Witnesses, shall for every such Offence forfeit the Sum of Ten Pounds, to be levied by Warrant of such Justice of the Peace before whom such Offender shall be convicted, by distress and sale of the Goods of such Offender, returning the Overplus (if any there be) to the Party distrained, the one Moiety of such Penalty and Penalties to be paid to him who shall prosecute for the same, the other Moiety to the Church-Wardens for the repair of the Highways of the Parish where such Offence shall be committed, and in case no sufficient Distress shall be found, the Person or Persons so offending, shall by Warrant of such Justice of the Peace, be sent to the next House of Correction, or to the common County Goal, there to be kept in close Custody without Bail or Mainprize for one Month.

Provided nevertheless, That all and every Person and Persons who now is or are seized or possessed by Virtue of any Fee Farm Lease, or Lease for ever, or of any Lease for one or more Life or Lives, or Years, and all and every Person or Persons deriving under, or duly authorized

authorized by such Person or Persons, shall have and enjoy the same Right to look for, set, spring, shoot, start, course, hunt, hawk, or otherwise pursue any sort of Game, on the Lands of which such Person or Persons is or are seized or possessed as aforesaid, as such Person or Persons now has and enjoys by the Laws now in Force in this Kingdom.

Provided also, That nothing herein contained shall extend, or be construed to extend, to deprive any Person duly qualified, and keeping Hounds of his own, of such Priveleges of beating for Hares, as he with his usual and necessary Attendants might have had before the passing of this Act; Provided that every such Prosecution be commenced within three Kalendar Months after the Offence committed, and that the Prosecutor or Party convicted may appeal from every such Adjudication to the next going Judges of Assize for the County where such Offence shall be committed, who are hereby authorized and required to hear and determine every such Appeal.

Provided also, That no collusive Prosecution shall bart any other Person hereby qualified to carry on a Prosecution for

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the ſaid Offence, ſuch other Proſecution being carried on within the ſaid three Months after the Offence proſecuted.

Provided allways, That no one Offence ſhall be twice puniſhed, and that where any Offender ſhall be once puniſhed by Force of this Act, he ſhall not again be liable by Virtue of any other Law to anſwer again for the ſame Offence.

Provided alſo, That nothing herein contained ſhall ſubject any Perſon or Perſons, only qualified by the Laws now in being, to hunt for or to kill Game, his, or their Servants or neceſſary Attendants, to any of the Pains or Penalties hereby inflicted for following or purſuing their Game into the Lands of other Perſons.

Provided allways, That ſuch other Perſon or Perſons may have ſuch Remedies, and ſuch Redreſs againſt Perſons ſo following their Game, for any Damage they ſhall do to ſuch other Perſons, as ſuch other Perſons may have or are intitled to for ſuch Damage by the Laws now in being.

Provided

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Provided also, That all Lords of Manors, and other Royalties, shall have and enjoy the same Rights and Privileges concerning the Game, within their respective Manors or Royalties, as fully and amply in every particular, as if this Act had never been made.

And the better and more effectually to prevent the killing and destroying the Game at improper Times, be it Enacted by the Authority aforesaid, That from and after the first Day of May One thousand seven hundred and sixty four, no Person shall take, kill, or destroy, any Partridge or Quail, from the first of February to the first of September in each Year, or any Grouse from the first day of February to the first Day of August in any Year.

And be it Enacted by the Authority aforesaid, That every Person who shall take, kill, or destroy, or who shall sell or expose to sale, or who shall buy or cause to be bought, any Partridge, Quail, or Grouse, within the respective Times before mentioned, shall for every Partridge, Quail, or Grouse so taken, killed, or destroyed, sold, exposed to sale or bought, forfeit ten

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Pounds for every Offence, to be levied by diſtreſs and ſale of the Goods of the Offender, and in caſe of Inſolvency, the Party offending ſhall ſuffer Impriſonment for three Months.

And be it Enacted by the Authority aforeſaid, That no Perſon ſhall within the Time aforeſaid buy, or cauſe to be bought, ſell, or expoſe to ſale, any Hare, from the firſt Day of February to the firſt Day of October in any Year, under the Penalty of five Pounds for each Hare ſo bought or ſold, to be recovered as herein after directed.

And be it further Enacted, by the Authority aforeſaid, That every Higler, common Carrier, or Stage Coachman, in whoſe Poſſeſſion any Partridge or Quail ſhall be found after the firſt Day of May One thouſand ſeven hundred and ſixty four, at any Time between the firſt of February and the firſt of September in each Year, or in whoſe Poſſeſſion any Groufe ſhall be found after the firſt Day of May One thouſand ſeven hundred and ſixty four, at any Time between the firſt Day of February and the firſt Day of Auguſt in each Year, or in whoſe Poſſeſſion any

Hare

Hare shall be found after the first Day of May One thousand seven hundred and sixty four, at any Time between the first Day of February and the first Day of October in each Year, shall forfeit for every such Partridge, Quail, Grouse, and Hare, twenty Shillings, to be recovered as herein after is directed.

And be it Enacted by the Authority aforesaid, That all Offences against this Act, shall be enquired into and determined, either by the Oath of One credible Witness, or by the Confession of the Parties accused before any one Justice of the Peace for the County where the Offence shall be committed, or where the Offender shall be found, and such Justice is hereby impowered to issue his Warrant for the Distraining and Sale of the Goods of the Party Offending, in order to raise the Penalty aforesaid, or if he shall be Insolvent, for committing the Party for the Time before limitted to the County Goal.

And be it Enacted by the Authority aforesaid, That all Forfeitures to be incurred for any Offence to be committed

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against this Act, shall, when recovered, be paid to the Informer, or Prosecutor.

And be it further Enacted by the Authority aforesaid, That from and after the first Day of May, in the Year One thousand seven hundred and sixty four, where any Dog or Dogs of whatsoever Species, belonging to any Person or Persons not legally qualified or authorized to keep setting Dogs or Hounds, shall be known to destroy any sort of Game, or to kill or wound Sheep, or to bite Horses to the Annoyance of Travellers on the Highways, or which in any other respect prove a Nusance, on Information thereof given upon the Oath of one credible Witness, before a Justice of the Peace, for the County where such Dog or Dogs shall happen to be, it shall and may be lawful for such Justice to summon the Owner of such Dog or Dogs, to appear before him, and after a full Enquiry to issue his Warrant for destroying such Dog or Dogs as shall be informed against, in case he shall see sufficient Cause for the same, but not otherwise.

Provided nevertheless, that nothing herein contained shall prevent any Person

ſon or Perſons from obtaining ſuch further or other Redreſs, for any Damage which he or they ſhall ſuſtain by Means of any ſuch Dog or Dogs, as he or they may be intitled to by the Laws already in force.

Provided alſo, that this Act ſhall continue in Force for two Years, from the firſt Day of May One thouſand ſeven hundred and ſixty four, and from thence to the End of the then next Seſſion of Parliament.

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AN

ACT

FOR

The Encouragement of the Fiſheries of this Kingdom.

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AN

ACT

FOR

The Encouragement of the Fiſheries of this Kingdom.

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WHEREAS the carrying on and Improvement of the Fiſheries on the ſeveral Coaſts of this Kingdom, may be of great Advantage to the Trade and Navigation thereof, and may be a Means

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of employing and providing for great Numbers of industrious Poor, and Improvement of His Majesty's Revenue, and a Nursery for Seamen for the Navy of Great Britain, and may likewise be a Means of preventing the great Number of French Ships and Fishing Boats, which frequently Fish upon the Coasts of this Kingdom, therefore for the Encouragement of such Persons as are willing to build Busses or other Vessels, fit for fishing in deep Water, and salting such Fish on Board as shall be taken: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That a Bounty of twenty Shillings per Ton shall be paid annually out of His Majesty's Revenues, under the Management of the Commissioners of the Revenue, to the Owner or Owners of such Vessels, or their Agents, as shall hereafter be built in Great Britain or Ireland, and manned and navigated as by the Laws now in Force is directed, and hereafter more particularly described for fishing on the Coasts of this Kingdom, and that every such Buss or Vessel that shall be

be employed in the said Fisheries, or whose Owners shall be intitled to the said Bounty of twenty Shillings per Ton, by Virtue of this Act, shall be a decked Buss or Vessel, built in Great Britain or Ireland, after the Commencement of this Act, not under the Burthen of twenty Tons, nor shall the said Bounty be paid for more than One hundred Tons Burthen, and shall proceed on the said Fisheries from some Port in Ireland, and before such Buss or Vessel proceed on such Voyage, or be intitled to the Benefit of this Act, she shall be visited by such Officer or Officers of the Revenue belonging to such Port, who shall be appointed by the Commissioners of his Majesty's Revenue, or any three or more of them, to examine into such Buss or Vessel, and who shall take an Account of the Tunage thereof, by Admeasurement, and shall certify such his or their Visitation, Examination, and Admeasurement, to the Commissioners of his Majesty's Revenue, and that she is a proper Vessel to be employed in the said Fishery; and upon its further appearing by the Oath of One or more Owner or Owners, or their Agent, and of the Master or Chief Officer of such Buss or Vessel, written at the Foot of

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the ſaid Certificate, and made before the Collector or Comptroller of ſuch Port, who are hereby reſpectively impowered and required to Adminiſter the ſame, that it is really and truly their firm Purpoſe, and determined Reſolution, that ſuch Buſs or Veſſel ſhall proceed well manned, furniſhed and accoutred, to fiſh upon ſome one or more of the Coaſts of this Kingdom, or within Thirty five Leagues of the ſame, and that a Journal ſhall be kept of all their Proceedings, and an Account of the Quantities of Fiſh which ſhall be taken on each Voyage, and if after ſuch Certificate had and Oath made as aforeſaid, the Owner or Owners, Maſter, or Chief Officer of ſuch Buſs or Veſſel, do produce the Journal of their Proceedings, at the end of each Voyage, atteſted by the Oath of the Maſter or chief Officer of ſuch Buſs or Veſſel, to prove that ſhe was employed in the ſaid Fiſhery, during the Seaſon, then all ſuch Requiſites being fully performed, ſhall entitle the Owner or Owners to the ſaid Bounty, and be it further Enacted by the Authority aforeſaid, that no Nets ſhall be ſhott or wett for the taking of Herrings in the Day Time, under a Penalty of five Pounds, to be recovered againſt the Owner or Owners of

of such Net, or of the said Buls or Vessel, and to be levyed by Distrels and Sale of his or their Goods and Chattels, by Warrant under the Hand and Seal of a Justice of Peace of the County, wherein the Party or Parties do reside, and before whom the Offence shall be proved, by Confession, or the Oath of two credible Witnesses, which Penalty when recovered shall be applied in Manner following: (that is to say) one Moity thereof to the Use of the Poor of the Parish, where the Person or Persons so forfeiting shall reside, and the other Moiety to the Use of the Person or Persons who shall sue for the same.

And be it further Enacted by the Authority aforesaid, That no Nets shall be shot, nor any Boats go out to look for Fish from Sun set on any Saturday Night until after Sun set on Sunday Night, immediately following, under the like Penalty of five Pounds, to be recovered and applied in like Manner as herein before is mentioned.

And be it further Enacted by the Authority aforesaid, That if any Number of Persons shall enter into a Partnership, or

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shall hereafter be incorporated by Charter, or otherwise, for carrying on a Fishery on the Coasts of this Kingdom by common Stock or Subscription, and that any of the Partners, his, her, or their Executors, or Administrators, shall refuse or neglect to pay, his, her, or their Proportion of such Sum or Sums of Money, as shall be called for by the Majority of the Partners, in such common Stock or Subscription, at the Times when the same shall be appointed to be paid, Notice of such call being given in the Dublin Gazette, by the Majority of the said Partners, at least thirty Days before the Day appointed for such Payment, it shall be lawful for the Majority of such acting Part of the said Company, to sell and dispose of so much of the Share or Stock of the Person or Persons so neglecting or refusing, as shall produce the Sum which such Person or Persons ought to have paid on such call, and if any Overplus shall remain, to pay the same to the right Owner or Owners thereof; and that it shall also be lawful for the said acting Majority, if so minded, to compel the Payment by Action of Debt, Plaint, or Bill, in any of his Majesty's Courts of Law, to be laid or brought in the Name of said

said Company, or the Governor thereof, against the Subscribers, their Executors, and Administrators, of all Sums which shall be subscribed to the said Fishery, or such part thereof as the acting part of the said Company shall think proper to call in upon a Written Notice, served upon the subscribing Party, of the Sum so called for, and not paid within one Month after the same had been due, as if the said Subscribers had passed their several Bonds for the same.

And be it further Enacted by the Authority aforesaid, That for an Encouragement to all Persons whatsoever, as well Bodies Politick, and Corporate, as others, shall engage in the said Fisheries, there shall be paid out of His Majesty's Revenue, under the Management of the Commissioners of the Revenue, a Bounty of two Shillings for every Barrel containing Thirty two Gallons, wherein good sound and well cured White Herrings shall be packed, upon the Exportation thereof; a Bounty of two Shillings and Sixpence on every Barrel of the same Contents, wherein good, sound, and well cured Mackarel shall be packed, upon Exportation; a

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Bounty of five Shillings for every six Score of Ling, taken on the Coasts of this Kingdom, upon the Exportation thereof; a Bounty of three Shillings for every six Score of Hake, Haddock, Glasling, otherwise Coal Fish, and Conger Eel, taken on the Coasts of this Kingdom, upon the Exportation thereof; a Bounty of four Shillings and Threepence Farthing for every Teirce, containing Forty one Gallons, and so in Proportion, wherein Wet Fish, well cured, shall be packed, upon Exportation thereof; a Bounty of three Pounds per Ton, for Oil extracted from Whales, and thirty Shillings per Ton for the Oil extracted from other Fish taken on the Coasts of this Kingdom, and manufactured therein; a Bounty of four Pounds a hundred Weight for all Fins of Whales, commonly called Whale Bone, taken on the Coasts of this Kingdom, and manufactured therein.

And whereas there is reason to apprehend, that Whales may be prevented from frequenting the Coasts, by Persons wantonly Shooting at them from small Boats: Be it Enacted by the Authority aforesaid,

aforesaid, That if any Person or Persons in small Vessels not decked, and not belonging to some Ship actually employed in the Whale Fishery, shall shoot from Guns at any Whales, they shall for every such Offence forfeit to His Majesty the Boat in which such Offence was committed, together with the Penalty of twenty Pounds, to be recovered and applied as aforesaid.

And to prevent any Disputes which may arise, whether a Vessel be properly qualified, and duly fitted out, for carrying on a Fishery, according to the true Intent and Meaning of this Act, and intitled to such Certificate, as herein before is mentioned, from the Custom-house Officers; Be it Enacted by the Authority aforesaid, That every such Vessel shall be a decked Vessel, built in Great Britain or Ireland, after the Commencement of this Act, and if but of twenty Tons, shall have not less than six Men on Board, and if of greater Burthen, shall over and above the six Men aforesaid, have one Man for every eight Tons, which shall exceed Twenty Tons Burthen.

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And be it further Enacted by the Authority aforesaid, That on Return of such Buls, or Vessel, into any Port of Ireland, for her Discharge the chief Officer of the Customs, or such other Officer of the Customs as he shall appoint at such Port, shall immediately repair on Board such Buls or Vessel, and view the Condition of such Vessel and her Lading, and to certifie the same, together with their Observations thereon, and also the real Tunnage of the said Buls or Vessel, and the said Officers are also to take an Account of the Names of the Master, and other Persons on Board, and to certifie the same, and the Master shall make Oath before the Collector or Comptroller of such Port, who are hereby respectively impowered and required to administer the same, that such Vessel went out to Sea on Purpose for Fishing, and for no other Purpose whatsoever, and was not on any other Voyage, except for the Disposal of such Fish as she had caught, and for any Freight she may bring in return for the same, nor pursued any other Design, or view of Profit; and that the Vessel and Crew did remain Fishing for such a Length of Time, as shall be specified

ſpecified in ſaid Affidavit, according to the Directions of this Act, and the Number of Men herein before directed to be on Board the ſaid Veſſel, and ſhall likewiſe produce to the Officer of the Cuſtoms at ſuch Port, a Journal of their Proceedings at Sea, atteſted by the Oaths of the ſaid Maſter, or other chief Officer on Board ſuch Veſſel, that the ſame contains a true Account of all their Proceedings; all which Certificate, Journal, and Oath, together with a true Account of the Quantity, and the particular Species of of Fiſh taken by the ſaid Veſſel, ſhall be tranſmitted by the Collector, or Comptroller of ſuch Port, to the Commiſſioners of His Majeſty's Revenue; and the ſaid Commiſſioners being fully ſatisfied of the faithful Dealings and Tranſactions of the ſaid Maſter, and other Perſons employed in ſuch Veſſels, with reſpect to ſuch Voyage and Fiſhing, ſhall on Demand cauſe Payment to be made of the reſpective Bounties, herein before directed, to be made to the Owner or Owners of ſuch Buſſes or Veſſels, or to his, or their Aſſigns, out of His Majeſty's Revenue under their Management, and ſhall direct, that a particular and diſtinct Account be kept of the ſame.

CHAP. XXIV.

And by it further Enacted be the Authority aforesaid, That the Owners of such Fish as shall be taken, according to the Directions of this Act, shall on making a due Entry at the Custom-house, and shipping the same for Exportation, depose on Oath the Port they are designed for, and shall also become bound with two sufficient Sureties unto His Majesty, His Heirs and Successors, in the Penalty of such Sum, as shall be equal to treble the Bounty on the Tunnage of his Vessel, intended by this Act, and also treble the Value of such Bounties as he or they shall receive, or be intitled to, by Virtue of this Act, conditioned not to reland the Fish, intended to be exported, in any Port, Haven, or Creek, or other Places in Ireland, unless in Case of Distress, which shall be immediately made known to some one or more of the Officers of the Customs of the Port nearest to where such Vessel shall be stranded, which Bond the Collector of the Port is hereby required to take, and the said Bonds are hereby declared to be good and valid in the Law, for the Sums respectively contained therein, and shall be in Force, for the Space of three Years, against the Obligors therein mentioned

tioned, their Heirs, Executors, and Administrators. CHAP. XXIV.

And for preventing any Frauds that may be attempted, by claiming any of the aforesaid Bounties for any Fish carried to foreign Markets, which have not been caught upon the Coasts of this Kingdom, within the Distances herein before described: Be it Enacted by the Authority aforesaid, That no Owner or Owners, of any such Fish, shall be intitled to any of the Bounties aforesaid, unless such Fish for which such Bounties shall be claimed, shall be proved by sufficient Affidavit, made before the Collector, or other principal Officer, of some Port in this Kingdom, (which Oath the said Officer and Officers are hereby impowered to administer) to have been caught upon the Coasts of this Kingdom, within the Distances herein before described, and the said Collector or other Officer shall then certifie under his Hand, that the said Fish was first landed in, and then exported from the said Port of this Kingdom, in which Certificate shall be specified the Quantity and Quality of the Fish so exported, and then and in that Case the Affidavit of such foreign Merchant, to whom the Vessel

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was consigned, made before the Chief Magistrate of the Port where he resides, or a British Consul, in case any such there be, there specifying particularly, the Quantity and Species of Fish landed at such foreign Market, together with the Affidavit of the Master, or other Chief Officer, of such Vessel on her return to Ireland, made before the Collector or Comptroller of the Port where she shall arrive, (who are hereby respectively impowered and required to administer the same) that he was present, and did see the foreign Merchant (mentioning his Name) sign and swear the said Affidavit, before the Chief Magistrate of the foreign Port, or British Consul residing there, and upon delivering to the Collector of the Port in Ireland, where such Vessel shall arrive, the said two Affidavits, and performing all other the Directions of this Act, intitle the Owners to the several Bounties respectively mentioned.

Provided allways, That the Bounties hereby allowed and given on Conforming to the Regulations aforesaid, shall be paid during the Space of six Years from the Commencement of this Act, and no longer;

Provided

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Provided also, That nothing in this Act shall extend, or be construed to extend, to exclude any of His Majesty's Subjects from Fishing, or carrying on the White Herring, and other Fisheries, in such Manner as they might have done, in case this Act had never been made.

CHAP.
XXV.

AN

ACT

TO

Amend and Explain an Act made in the Thirty third Year of the Reign of *Henry* the Eighth, intituled, *An Act for Tythes and for other Purposes therein mentioned.*



DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Most Excellent Majesty. MDCCLXIV.



AN

ACT

TO

Amend and explain an Act made in the Thirty third Year of the Reign of *Henry* the Eighth, intituled, *An Act for Tithes, and for other Purposes therein mentioned.*

CHAP. XXV.

WHEREAS by an Act of Parliament made in this Kingdom, in the Thirty third Year of the Reign of King Henry the Eighth, intituled, An Act for

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CHAP. XXV.

Tythes, it is amongst other Things enacted, "That all and singuler Persons of this Land, of what Estate, Degree or Condition soever they be, shall fully, truly, and effectually devide, set out, yeild or pay all and singuler Tythes and Offerings, according to the lawfull Customs and Usuages of the Parochies and Places where such Tythes or Duties shall grow, arise, and become due:" And whereas the good Intentions of the said Act have been in a great Measure defeated by the Frauds of the Persons who ought to pay such Tythes, in not giving reasonable Notice to the Persons intitled to receive the same, and other Contrivances when Notice has been given, and the Persons attending to receive such Tythes pursuant thereto: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That every Owner of Corn, Hay, or Pease, or Beans (except Pease or Beans which grow in Gardens) shall, before he shall remove the said Corn, Hay, or Pease, or Beans, give Notice in Writing to the Persons intitled to receive such Tythes, or his known Proctor or Manager,

ger, of the Time of setting out such Tythes, Forty eight Hours at least before such intended Time of setting out the same, which Notice shall be delivered to the Person so intitled to receive such Tythes, or his known Proctor or Manager, or in case neither of them can be found at his House or usual Place of Abode within the said Parish, such Notice shall be given to some Person living in such House who is above the Age of Sixteen Years, and that all Persons who give such Notice, shall without Fraud, Covin, or wilful Delay, truly and effectually divide, set out, and deliver such Tythes to the Persons intitled to receive the same, who shall attend for that Purpose pursuant to such Notice, and that it shall be lawful for the Persons receiving such Tythes, to make the same in Stocks, or otherwise, on the Field where the same grew, where the same may remain and be preserved so long as the rest, or any part of the rest, of the Corn, Hay, or other Things shall remain on the said Field undrawn by the Owner.

Provided allways, That if the Person intitled to receive the said Tythes, or his known Manager or Proctor, have no Place

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of Residence in the said Parish, or if many Parishes be united by Virtue of any Union in one of the said united Parishes, that then and in such case it shall be sufficient to give the said Notice of the Time of setting out the Tythes, by affixing the same on the Door of the Parish Church Forty eight Hours before the Time of setting out the said Tythes.

And whereas the Clergy in Suits for subtraction of Predial Tythes are unnecessarily put to great Trouble and Expence, in producing Witnesses to prove their Induction and other Qualifications, in cases where there is no dispute who the Incumbent is: For the prevention of such Delays and Expences, be it Enacted by the Authority aforesaid, That it shall be sufficient for every Ecclesiastical Person, or Lay Impropriator in any Suit for the subtraction of Predial Tythes, to prove that such Person was, and is reputed to be an Incumbent or Impropriator of such Parish, and had acted as such at or before the Time the Right of the Tythes sued for accrued, without producing or proving any other Title, except the Title of the Person promoting such Suit shall be controverted, and it shall be pleaded by the

Party

Party so sued in such Causes, that the Person prosecuting such Suit is not the true and legal Incumbent or Impropriator.

And whereas by the present Method of proceeding in the Ecclesiastical Courts in Suits for subtraction of Predial Tythes, the Parties cited in such Causes are put often to great Expences in excommunicating them for Contempt in not appearing, and the Persons promoting such Suits are delayed in the Prosecution thereof; be it Enacted by the Authority aforesaid, That for the Future in all cases of subtraction of Predial Tythes, where the Persons cited shall not appear pursuant to the first Citation, the Judge of the Court shall upon the Return of such Citation, and due Proof made of the Service thereof upon Oath in Writing on the Back of, or annexed to such Citation, decree one other Process or Citation to issue against such Person reciting such former Citation, and intimating that whether he shall appear or contumaciously absent himself, that he the said Judge will nevertheless proceed to hear and determine such Cause, the Absence or Con-

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Summary of such Person notwithstanding; and it shall and may be lawful for such Judge to proceed to hear and determine such Causes, in thirty Days after due Proof made before him on Oath of the due Service of such second Process or Citation as before mentioned, in such Manner as if the Person so cited had been excommunicated for such his Contempt in not appearing.

Provided allways, That the Parties so cited entering an Appearance either by himself or his Proctor, in the Registry of the Court into which he is cited, any Time before the Court Day next following the Day appointed for his Appearance in such Citation, or thirty Days after such Court Day, shall be deemed and taken to be a sufficient Appearance for the said Party, and for the Judge of the said Court to proceed on such Cause.

And whereas it is by the said Act made in this Kingdom, in the thirty third Year of the Reign of Henry the Eighth, further Enacted, That in every Cause or Matter for detaining or withholding Tythes or Offerings, the Judge having their Parties or their lawful Procurators before him, shall and may proceed

proceed to the Examination, hearing, and determining of every such Cause or Matter ordinarily or summarily according to the Course of the King's Ecclesiastical Laws: And whereas notwithstanding the said Law, Suits for Predial Tythes are carried on in the Ecclesiastical Court, in a plenary Manner, to the great Trouble and Expence of the person so sued, and often for very small Sums of Money: Be it Enacted by the Authority aforesaid, That the Ecclesiastical Judge in all Causes for Subtraction of Predial Tythes, when the Right to them is not controverted, shall after a Libel is given in and Issue joined, or in Case of the Contempt of the Party cited, in Case of his Non Appearance after the Service of such Citations as are herein before mentioned, and due Proof made thereof, at the Petition of either of the Parties, proceed to hear and determine such Causes and Matters in a summary Manner by Examination of Witnesses, Viva Voce, and such other legal Proofs as shall be offered to him, and proceed thereupon to give final Sentence in the same.

And

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And whereas it is by the said in part recited Act further Enacted, "That if any such Person or Persons, after Sentence definitive given against them, obstinately, and wilfully refuse to pay their Tythes or Duties, or such Sums of Money so adjudged, wherein they be condemned for the same, that then two Justices of the Peace for the same Shire, whereof one to be of the Quorum, shall have Authority by this Act, upon Information, Certificate, or Complaint to them made in Writing, by the said Ecclesiastical Judge that gave the said Sentence, to cause the Party so refused to be attached and committed to the next Goal, and there to remain without Bail or Mainprize, till he or they shall have found sufficient Securities to be bound by Recognizance, or otherwise, to the King, to perform the same definitive Sentence, or Judgment: And whereas the strict Execution of the said Clause would be very inconvenient to the Justices of the Peace, who must meet to grant such Warrants, and also to the Persons who are to be so attached: Be it Enacted by the Authority aforesaid, that for the future no such Attachment or Com-

Committal shall be made by such Justices of the Peace, but where any Person or Persons are condemned in any Sum or Sums of Money for Predial Tythes or Costs of Suit in any such Cause, and the Party so condemned shall refuse or neglect, after Service of a Monition for that Purpose from the Court where such Sentence is or shall be given, and Proof made upon Oath of the due Service thereof by the Space of fifteen Days after such Service, to satisfy and pay to the Party obtaining such Sentence such Sum or Sums as shall be so decreed, it shall and may be lawful for the Person or Persons, so obtaining such Sentence or Sentences, to sue for the Money so decreed by Civil Bill, before the next going Judges of Assize for the County where the Party against whom such Sentence was pronounced shall reside, or in any other Court where Civil Bills are or shall be allowed to be brought, in such Manner as Suits by Civil Bills are now allowed to be brought, so as the same do not exceed the Sum of twenty Pounds, and a true Copy of such Monition under the Seal of the Court from whence the same issued, and Proof upon Oath of the due Service thereof, fifteen Days at least be-

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ſoze the Time of hearing ſuch Civil Bill, ſhall be judged ſufficient and concluſive Evidence of the Sum due, and the Party obtaining a Decree in ſuch Suit ſhall be intitled to ſuch Execution and Proceſs, with the uſual Coſts of Civil Bills: Provided that all Perſons ſhall be intitled to appeal from ſuch Sentences in ſuch Eccleſiaſtical Courts upon ſuch Terms, and in ſuch Manner, as they might heretofore have done ſince the making of the ſaid Act, made in the Thirty third Year of the Reign of Henry the Eighth.

Provided alſo, That if it ſhall appear to ſuch Judge of Aſſize, that the Matter is of Eccleſiaſtical Cognizance, that it ſhall be lawful for any Defendant ſued by Civil Bill under this Act, to give in Evidence any Matter or Thing ſubſequent to the Sentence in the Eccleſiaſtical Court, which may be ſufficient either in Law or Equity to diſcharge him of the Whole or any Part of the Sum or Sums decreed againſt him by the ſaid Sentence.

Provided alſo, That the ſaid Court ſhall be a Court of Equity to the Defendant, ſo as to enable the Defendant to examine the Plaintiff, or his known Proctor or Manager

Manager upon Oath, upon giving reasonable Notice to the Plaintiff or such Proctor, that his Attendance is expected at the Hearing of such Civil Bill. CHAP. XXV.

Provided also, that nothing herein contained shall extend, or be construed to extend, to give or confirm a Right in the Incumbent to any Species of Tythes to which he is not already intitled by Law or Equity.

Provided also, that this Act shall be and remain in Force for two Years, from the Twenty fourth Day of June One thousand seven hundred and sixty four, and to the End of the then next Session of Parliament.

CHAP.
XXVI.

AN

ACT

FOR

Confirming the Titles, and for quieting the Poſſeſſion of *Proteſtants*, and for giving Time to Converts from *Popery* to perform the Requiſites of Conformity preſcribed by the Laws againſt *Popery*.

GIII. R

DUBLIN:

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B

A N

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FOR

Confirming the Titles and for quieting the Poſſeſſion of *Proteſtants*, and for giving Time to Converts from *Popery* to perform the Requiſites of Conformity preſcribed by the Laws againſt *Popery*.

CHAP. XXVI.

WHEREAS many Families in this Kingdom now | are, and for many Years paſt have been, in the quiet and undiſturbed Poſſeſſion of Eſtates

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states formerly the Estate of persons professing the Popish Religion, and therefore may on Account of the Gavelling Clause in the Act of the Second Year of the Reign of Queen Anne, and of other Clauses in that Act, and also in the Act of the Eighth Year of the Reign of Queen Anne, be hereafter disturbed by dormant Rights claimed by Force, and under Colour of the said Acts, whereby the Titles of His Majesty's Protestant Subjects are rendered insecure: We therefore Your Majesty's Most Dutiful and Loyal Subjects, the Commons of Ireland in Parliament assembled, do most humbly beseech Your Majesty that it may be Enacted, and be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That the Title, Possession, Estate, or Interest, of any Protestant in or to any Messuages, Lands, Tenements, or Hereditaments, in this Kingdom, shall not be avoided or impeached by the Aid of the Laws made in this Kingdom

dom to prevent the Growth of Popery, or by the Aid of any of the said Laws by Means or by Colour of any Right or pretended Right, which accrued Twenty Years before the first Day of the present Session of Parliament, if no Suit has been commenced or prosecuted within that Time claiming such Right, and if some Person or Persons of full Age, of sound Memory, out of Prison in this Kingdom, and Discovert (the Right being in a Woman) hath been in being at some Time within Twenty Years before the first of the present Session of Parliament, or before the Commencement of Twenty Years before the first Day of the present Session of Parliament, who might have sued for such Right.

And whereas many of His Majesty's Protestant Subjects of this Kingdom have become intitled to very considerable Estates, by, from, and under divers Persons who were of the Popish Religion, and who became Converts to the Established Church, or who have been reputed Protestants or Converts, and who nevertheless

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omitted to perform those Requisites prescribed by the Laws made in this Kingdom to prevent the Growth of Popery, in the Case of persons conforming from Popery to the Established Church; be it therefore further Enacted by the Authority aforesaid, That the Title, Estate, or Interest of any Protestant to any Messuages, Lands, Tenements, or Hereditaments in this Kingdom, heretofore derived by Purchase from any Convert or reputed Convert from Popery, or from any reputed Protestant, shall not be avoided or impeached by the Aid of any of the said Laws.

And be it further Enacted by the Authority aforesaid, That all such Person or Persons as have heretofore obtained the Bishop's Certificate of their Conformity, and from and after the obtaining the same have professed the Protestant Religion and have continued Protestants, and have not performed all the other legal Requisites of Conformity, and shall perform the same before the first Day of December, in the Year One thousand seven hundred and sixty five, shall from the Time of his, her, or their

their Conformity from the Popiſh to the Proteſtant Religion, be deemed and taken to be Proteſtants of the Eſtabliſhed Church, to all Intents and Purpoſes. CHAP. XXVI.

Provided allways, That nothing herein contained, ſhall War, Defeat, or Prejudice any Judgment or Decree heretofore obtained, by any Perſon or Perſons whatſoever in any Court of Law or Equity, or any Suit now depending, grounded upon the Popery Laws, which hath been duly proceeded upon.

CHAP. XXVII.

AN

ACT

TO

Amend and continue an Act *intituled*, An Act to prevent the exceſſive Price of Coals in the City of *Dublin*.

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Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN ACT TO

Amend and continue an Act *intituled*, an Act to prevent the exceſſive Price of Coals in the City of *Dublin*

CHAP. XXVII.

CHAP. XXVII.

WHEREAS an Act of Parliament made in this Kingdom intituled, an Act to prevent the exceſſive Pice of Coals in the City of *Dublin* has been found by Experience to be

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be a useful Law: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, that the same be continued 'till the Year One thousand seven hundred and fifty nine, and from thence to the end of the then next Session of Parliament, with the following Amendments: Be it enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March next, whenever and as often as it shall happen that the Price of Coals in the City of Dublin shall exceed the Price or Rate of Eighteen Shillings the Ton, that the Public Coal-Yard or Coal-Yards, in Case there shall be more than One, shall be kept open from the Hour of ten in the Morning till four in the Afternoon on every Day, Sunday and Christmas-Day only excepted, during which Time the Director and his Clerk shall duly and closely attend the said Coal-Yard, or Coal-Yards, and in Case the said Director shall wilfully neglect such his Attendance, or in Case the said Director or Comptroller shall wilfully neglect, in any Respect, his or their Duty, that the said Director and Comptroller, and each of

of them shall forfeit for every such Offence the Sum of Ten pounds, to be recovered in a Summary way by Civil Bill, to be brought before the Recorder of the City of Dublin, pursuant to the Statute in that Case made and provided, the Sum so to be recovered to be to the Use of such Person who shall first sue for the same, such Person first making Oath before the said Recorder, which Oath he is hereby impowered and required to administer, that such Civil Bill was not brought directly or indirectly in Trust for the said Director or Comptroller. CHAP. XXVII.

Provided allways, that such Civil Bill shall be brought within three Months after such Offence committed.

And be it Enacted by the Authority aforesaid, that in Case a Decree shall be obtained against such Director or Comptroller for not attending, or for neglecting his said Office, that in every such Case, the Office of such Director or Comptroller shall be null and void, to all Intents and Purposes, from the Time of obtaining such Decree, unless there shall be an Appeal from such Decree, and then from the

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Time of affirming the said Decree, in case the same shall be affirmed.

And be it Enacted by the Authority aforesaid, That the Lord Lieutenant, or other Chief Governor or Chief Governors of this Kingdom, for the Time being, shall appoint some other Person in the Place of the Director or Comptroller, whose Office shall be so vacated as aforesaid.

And be it declared and Enacted by the Authority aforesaid, That the Security by the said Act, required from the said Director and Comptroller, shall be entered into by them respectively before the Lord Mayor of the City of Dublin.

And be it Enacted by the Authority aforesaid, that such Security shall be entered into on or before the First Day of June next, and that in Case the said Director and Comptroller, or either of them, shall fail or Neglect to enter into such Security on or before the said First Day of June, or in one Month after the Appointment of such Director or Comptroller, that the Place of the Director or Comptroller so failing or neglecting shall be absolutely null and void to all Intents

and

and Purpoſes, and the Lord Lieutenant, or other Chief Governor or Governors for the Time being, ſhall appoint ſome other Perſon to be Comptroller or Director in the Place of the Perſon ſo failing or neglecting. CHAP. XXVII.

And be it Enacted by the Authority aforeſaid, That the Sallaries of two hundred Pounds yearly, and of thirty Pounds yearly for a Clerk, or ſixty Pounds yearly, if it ſhall be found neceſſary to keep more than one, ſhall be paid to the ſaid Director, together with a Sum not exceeding yearly thirty Pounds to be allowed for one Coal-yard, not exceeding the Sum of ſixty Pounds yearly in caſe there ſhall be more than one, which ſaid ſeveral Salaries and Sums ſhall be paid to the ſaid Director by Half-yearly Payments, on every firſt Day of December and firſt Day of June yearly, by his Majeſty's Receiver General, to whom the Receipt of the ſaid Director ſhall be a ſufficient Warrant or Voucher for the Payment of ſuch Sums, which ſhall be allowed him in his Accounts.

And be it Enacted by the Authority aforeſaid, That the Sum of One hundred

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Pounds yearly shall be paid to the said Comptroller, in the same Manner, and the same Times, as the Sums hereby appointed to be paid to the said Director, and that the Receipts of such Comptroller, shall be a sufficient Warrant or Voucher for Payment of the same, which shall be allowed to the said Receiver General in his Accounts.

And be it Enacted by the Authority aforesaid, That the said several Salaries and yearly Sums, shall commence and be paid, from the first Day of June One thousand seven hundred and sixty two, the first of the said half-yearly Payments to be made, as for the first of December in the Year One thousand seven hundred and sixty two.

And to prevent any Difficulty or Loss of Time in Obtaining the Certificates in the said Act mentioned: Be it Enacted by the Authority aforesaid, That a Certificate of such Import, as by the said Act is directed, from any one Alderman of the City of Dublin, or from either of the Sheriffs of the said City for the Time being, or from any Minister or Curate, or either of the Church-Wardens of any Parish

Parish of the City of Dublin, or the Liberties thereunto adjoining, shall be deemed sufficient. CHAP. XXVII.

And be it Enacted by the Authority aforesaid, That the Quantity of one Barrel, and no more, may be sold out of the said publick Coal-yard to one Person in one Day.

And whereas the Coals deposited in the said publick Coal-yard, or Coal-yards, may be damaged by remaining in the said Coal-yards for a Length of Time: Be it Enacted by the Authority aforesaid, That the said Director, by and with the Approbation of the Lord Lieutenant, or other chief Governor or chief Governors, and Privy Council of this Kingdom, first had and obtained for that Purpose, may sell out the said Coals at such Times, and at such Prices, as shall be appointed by the said Lord Lieutenant, or the chief Governor or Governors, and Privy Council; and the Money arising by the Sale of such Coals shall be paid into His Majesty's Treasury.

And be it Enacted by the Authority aforesaid, That the Lord Mayor

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and Board of Aldermen shall from Time to Time, by Instrument in Writing under their Hands and Seals, direct and appoint in what Place or Places the said publick Coal-yard or publick Coal-yards, if they shall find it necessary to have more than One, shall be kept, and what Rent shall be paid for the same, not exceeding the Allowance aforesaid, and in case the said Director shall after the first Day of June next take or use any Place, as for a publick Yard, without such Appointment, he shall forfeit for every such Offence, the Sum of One hundred Pounds, to be recovered as aforesaid.

And be it Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, or Inhabitant of this Kingdom, shall buy or contract for any Coals coming by Sea, to be sold in or for the City of Dublin, after such Coal shall arrive within the Port or Harbour of Dublin, and before they shall arrive Westward of the Town of Ring's-end, such Person or Persons shall forfeit for every such Offence, the Sum of fifty Pounds, to be recovered by Civil Bill, before the Judge or Judges having Jurisdiction to hear and determine Civil Bills, where such Offence shall be committed,

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committed, and that all Contracts for Coals made or entred into, contrary to the Directions aforesaid, and before such Coals shall arrive Westward of Ring's-end, shall be utterly void to all Intents and Purposes, and that the Lord Mayor of the City of Dublin, in case he shall have reason to suspect any Contracts for the buying or selling of Coals to have been entered into contrary to the Directions aforesaid, he shall have Power to summon any Inhabitant or Inhabitants of the City of Dublin before him, who may be able to give him Information therein, and to examine such Inhabitant or Inhabitants upon Oath concerning the same, provided that no Person so to be summoned and examined, shall be compelled to answer any Questions, which may tend to accuse himself or subject himself to any Penalty.

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AN

ACT

FOR

Better preventing the Severities and unjuſt Exactions practiſed by Goalers againſt their Priſoners, and for more effectually ſupporting Proſecutions at the Suit of the Crown, in caſes of Felony and Treaſon.



DUBLIN:

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A N

A C T

FOR

Better preventing the Severities and unjuſt Exactions practiſed by Goalers againſt their Priſoners, and for more effectually ſupporting Proſecutions at the Suit of the Crown, in caſes of Felony and Treaſon.

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WHEREAS many Frauds and Abuſes have been committed by Goalers exacting exorbitant Fees, brewing of Drink, and baking of Bread, which they oblige their Priſoners

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ners to take from them at their own Rates, and by keeping their Goals in a ~~filthy unwholsome Manner~~: And whereas many Doubts have arisen on a Clause contained in an Act of Parliament passed in this Kingdom, in the third Year of the Reign of His late Majesty King George the Second, intituled, An Act for continuing several Temporary Statutes made in this Kingdom, and now near expiring, and for the Amendment of other Statutes therein mentioned, particularly, whether the Judges on their Circuits are impowered to confirm Presentments made by Grand Juries for Medicines provided for poor Prisoners confined in the several Goals of this Kingdom: And whereas the Bread appointed by the said Act to be bought for the Use of the poor Prisoners hath been, contrary to the Intention thereof, given Indiscriminately to all the Prisoners confined in the said Goals, and is often distributed among the said Prisoners by the Goaler, and not by the Minister and Curate, as directed by the said Act: And whereas Goalers frequently pay large Sums, or engage to pay a Rent to such Person or Persons who have the Power of appointing them, and thereby apprehend they have a Right to continue therein independant of

of the Authority of the Persons so appointing them, and use every unwarrantable Means to reimburse themselves the Sums by them paid, or the Rent agreed to be paid for the said Offices: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of August One thousand seven hundred and sixty four, no Sheriff, or other Person or Persons, bodies Corporate or Politick, having Powers to appoint a Goaler, shall by themselves, or any other Person in Trust for them, take any Fee or Gratuity, or reserve any Rent payable out of any such Goal for such Appointment, under the Penalty of Five hundred Pounds, one Moiety thereof to be paid to the King, the other to the Informer, with full Costs of Suit, who shall by Bill, Plaint, or Information in any of His Majesty's Courts of Record first sue for the same.

And be it further Enacted by the Authority aforesaid, That every Goaler shall at the next Assizes to be held for the several

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verai Counties in this Kingdom, and at the next Quartet Sessions to be held for the County of Dublin, and the County of the City of Dublin, after the Commencement of this Act, deliver a Table of Fees, and the Price of Lodging, Use of a Bed, or other Charges claimed by him, in, or on Account of his Goal, to the Grand Jury of the said Counties, or Counties of Cities, or Counties of a Town, which Table shall be by such Grand Jury examined, altered, and settled, and confirmed by the Judge of the Assize in the said County, and by three of the Justices at the Quarter Sessions in the County of Dublin, and by the Recorder in the County of the City, according to their Discretion, and forthwith posted by such Goaler in the most publick Place of his Goal, and likewise in the Court and Session-houses, and in the Grand Jury-room, at every Assizes and Sessions, the same to be kept Fair, and renewed as often as it may be defaced, upon pain of Forfeiting the Sum of forty Shillings for every such Default or Neglect in such Goaler, to be recovered by Civil Bill, by such Informer as shall first sue for the same.

And be it further Enacted by the Authority aforesaid, That if any Goaler shall take

take any other Fee or Sum, except those allowed and appointed by the said Table, the said Goaler shall forfeit the Sum of forty Shillings, to be recovered by Civil Bill by the Informer.

And whereas the Minister and Churchwardens of the respective Parishes wherein Goals lie, are frequently imposed upon by Goalers returning Names of Prisoners as in their Custody, and in want of Bread, who really are not, and by baking their own Bread, making it of such Weight and sort as they think proper; For Remedy whereof, be it enacted by the Authority aforesaid, That no Goaler, or any Person in Trust for him, shall brew or bake in the Goal, or in the Houses hereby appointed for the Use of the Prisoners confined in the said Goal, or shall in any Place brew or bake for Sale, or keep any Shop for the selling of Bread, or Beer, or Ale, or other Liquors, under the Penalty of five Pounds for every such Offence, to be recovered in the usual Manner by Civil Bill, by the Person who shall inform of and sue for the same.

And be it Enacted by the Authority aforesaid, That the Minister, or Curate,

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shall Weekly deliver Bread, to be by them or either of them bought upon the best Terms that Bread is usually sold for in the Parish, to such of the said Prisoners confined in Goal, as seem to him or them to be in want, and to no other, and that every Minister or Curate shall from Time to Time, as he shall see Occasion, visit and view the Prisoners in Goal, and if any Prisoner appears to be afflicted with Sickness, and to stand in Need of Medicines, the said Minister or Curate is hereby impowered to employ a Physician, Apothecary, or Surgeon, and to pay for such Medicines as shall be by them or either of them prescribed, and made use of.

And be it Enacted by the Authority aforesaid, That from and after the Commencement of this Act, no Goaler, or any Person employed by him, shall presume on any Account to keep in the said Goals, or the Yard, or Houses adjoining thereto, and provided for the Use of such Prisoners, any Hogs, Colts, or other Cattle, under the Penalty of forty Shillings for such Hog, Colt, or other Beast kept in the said Goal, or Prison, or in the Yard or Houses thereto belonging, for each Day such Hog, Colt, or other Beast shall be kept therein,

the

the same to be recovered by Civil Bill, in the usual Manner, by any Person who shall inform thereof. CHAP. XXVIII.

And whereas many infectious Disorders are daily produced by the Confinement of Numbers in close Prisons, whereunto there is no back Yard adjoining, and the Lives of His Majesty's Subjects are endangered by the bringing of Prisoners into publick Streets for Air; Be it Enacted by the Authority aforesaid, That every Grand Jury at the Assizes or Quarter Sessions, aforesaid, may be enabled, and they are hereby required and directed to contract either by Leale, or to purchase a Piece of Ground next Adjoining the Goal, or as near as conveniently can be had thereto, and cause to be erected Necessary Houses, and a Wall sufficient for the Security of the said Prisoners.

And be it further Enacted by the Authority aforesaid, That the said Grand Juries at the Assizes or Quarter Sessions aforesaid, shall be, and they are hereby impowered to raise by Presentment, to be confirmed by the Judge at such Assizes, or by three of the Justices in the City of Dublin, and by the Recorder of the City of Dublin in the County of the said City,

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any Sum to be levied of the County at large not exceeding One hundred Pounds, for the Purchase of such Ground, and building such Houses and Wall, or any yearly Sum for the Payment of such Rent not exceeding ten Pounds.

And whereas it often happens, that Persons of insane Mind and outrageous Behaviour, are committed to Prison for Assaults, or other Crimes not Capital, which Persons go now in common with the other Prisoners: Be it Enacted by the Authority aforesaid, That the Grand Juries aforesaid may be enabled, and they are hereby required and directed to present a Sum of Money to build a Room in Addition to the present Goals, where such is not already to be had, fit for the Reception of such Person or Persons, and wherein the Goaler shall be impowered by a Warrant from the next Justice of the Peace for the County wherein such Goal shall lye, to confine any such Person, Information upon Oath having first been given to such Justice of the Peace of the Insanity or other outragious Behaviour of every such Prisoner.

And

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And be it Enacted by the Authority aforesaid, That the said Grand Juries shall at the said Assizes and Quarter Sessions aforesaid be impowered, and they are hereby impowered to raise by Presentment, to be confirmed as aforesaid, of the County at large any Sum not exceeding the Sum of thirty Pounds for building such a Room.

And be it further Enacted by the Authority aforesaid, That in all Goals hereafter to be built, there may be distinct apartments for the Men and Women, and that all Goalers whose Goals will at present admit of such a Distinction, may be obliged to separate and keep apart the different Sexes; Provided the same may be done without any Risque or Danger of an Escape of any of the said Prisoners, of which if apprehended, the Goaler shall give Notice to the next Justice of the Peace, and if the said Justice shall upon visiting the said Goal see sufficient Grounds for such Apprehensions, or that the said Goal is insufficient for the Purpose aforesaid, he shall by Writing under his Hand give to the said Goaler a Certificate thereof, and if any Goaler shall offend contrary to the Intent

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and Meaning hereof, he shall for every such Offence forfeit the Sum of five Pounds, to be recovered by Civil Bill, the Penalty to go to the Informer.

And be it Enacted by the Authority aforesaid, That the said Juries shall be impowered to raise and levy by Presentment, to be confirmed as aforesaid, any Sum not exceeding One hundred Pounds, for altering the Goals already built in Manner aforesaid.

And for the better and more effectual Relief of the unhappy Persons in any Goal or Prison during their Confinement: Be it Enacted by the Authority aforesaid, That at every Quarter Sessions held in or for the respective Counties, Counties of Cities and Counties of Towns in this Kingdom, the Goaler or Prison-keeper for every respective Goal or Prison for such County, City, or Town, shall furnish the Justices, who shall preside at such Sessions, with a true Kalendar of the Person or Persons actually in his Custody, and the said Justices may, if they think proper order the Prisoner or Prisoners to be brought into the Court, provided such Sessions are held in the City or Town wherein such Goal or

Prison

Prison shall be kept, and there examine them touching any Fraud, Severity, or Exaction of any such Goaler or Prison-keeper, and if any such shall appear upon Proof, the said Justices shall and may signify the same by Writing under their Hands to the High Sheriff or his Deputy, or other Person or Persons who usually nominate or appoint such Goaler or Prison-keeper, who is or are hereby required to nominate and appoint another Person, to take care of any such Goal or Prison, in the Room of such Person as shall be so objected to by the said Justices, and in case any Person so usually nominating or appointing any such Goaler or Prison-keeper shall refuse or neglect to act as herein before directed, it shall be lawful for the next going Judge of Assize in every such County, City, or Town, or for the said Justices in the County of Dublin, or the said Recorder in the County of the said City, to impose a Fine or Penalty upon the Person so neglecting or refusing, not less than ten Pounds, unless it shall appear to such Judge that such Removal or new Appointment could not be made without manifest Danger to the Security of the said Goal.

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And be it Enacted by the Authority aforesaid, That all and every Sum and Sums of Money, which shall be granted by the Grand Jury to the Minister, or Curate, for Bread or other Necessaries, as prescribed by the said Act of the third Year of His late Majesty King George the Second, and herein before particularly mentioned, shall be accounted for in open Court as by the said Act is directed.

And be it Enacted by the Authority aforesaid That the respective Grand Juries of the respective Counties, Counties of Cities, and Counties of Towns, may if they think Proper, give to the Minister, or to the Curate, by Presentment any Sum not exceeding ten Pounds yearly, for the more carefully and effectually attending the Duty required by this Act.

Be it likewise Enacted by the Authority aforesaid, That the Minister or Curate of the Parishes wherein such Goals shall be, shall deligently perform the the several Duties, required by this Act, and by the said recited Act of the Third Year of His late Majesty, and for non Performance thereof, shall be liable to such Penalties as are mentioned in the said recited Act, to be recovered

covered and disposed of as therein mentioned, CHAP. XXVIII.

And be it Enacted by the Authority aforesaid, That the said Grand Juries shall be impowered to raise and levy by Presentment, to be confirmed as aforesaid, any Sum not exceeding ten Pounds additional Sallary, for the several Goalers in this Kingdom.

And whereas many Persons accused of and guilty of Treason and Felony escape the Punishment due to such Crimes, by the Poverty of their Prosecutors, who actually forfeit their Recognizances rather than undergo the loss of their Labour, and the unavoidable Expence they must be at by Attendance at the Assizes: Be it Enacted by the Authority aforesaid, That if the Judges of Assizes and General Goal Delivery, in any of the Counties in this Kingdom, shall recommend such Persons so attending to Prosecute as proper Objects, to have an Allowance for their Time and Avocation from their Labour, that it shall and may be lawful for the Grand Juries of the respective Counties to present any Sum, not exceeding two shillings per Day, for such Persons as shall be so detained from their Labour

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and Business, and necessarily attending to prosecute.

And whereas it often happens in Criminal Prosecutions at the several Assizes, that the Prosecutor shall appear at the first assizes and the Criminal make default, whereupon the Recognizance of the first is at an end, and that of the Offender is estreated, and at the next Assizes the Offender Appears, and upon the non Appearance of the Prosecutor is acquitted, upon Certificate of which Acquittal his Estreat is reduced to some inconsiderable Sum, all which Matters are generally carried on by a Combination between the Criminal and the Prosecutor, to the manifest Prejudice and Prevention of Justice in this Kingdom, Be it therefore Enacted by the Authority aforesaid, that in such Cases the Judge or Judges of Assize, upon Appearance of the Prosecutor or Prosecutors at the first Assizes, and the non Appearance of the Criminal, shall bind the said Prosecutor or Prosecutors in a new, or continue him or them on the former Recognizance, to appear at the next ensuing Assizes, and that the Recognizance of such Criminals shall not be reduced

reduced, unleſs it ſhall appear to the Commiſſioners of Reducement, that the Perſon or Perſons bound over to proſecute has or have been examined on the Tryal. CHAP. XXVIII.

Be it further Enacted by the Authority aforeſaid, that from henceforth no Perſon who is a Clerk of the Crown, ſhall appear in any Suit at the Proſecution of the Crown as Council, Attorney, or Agent for the Defendant.

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XXIX.

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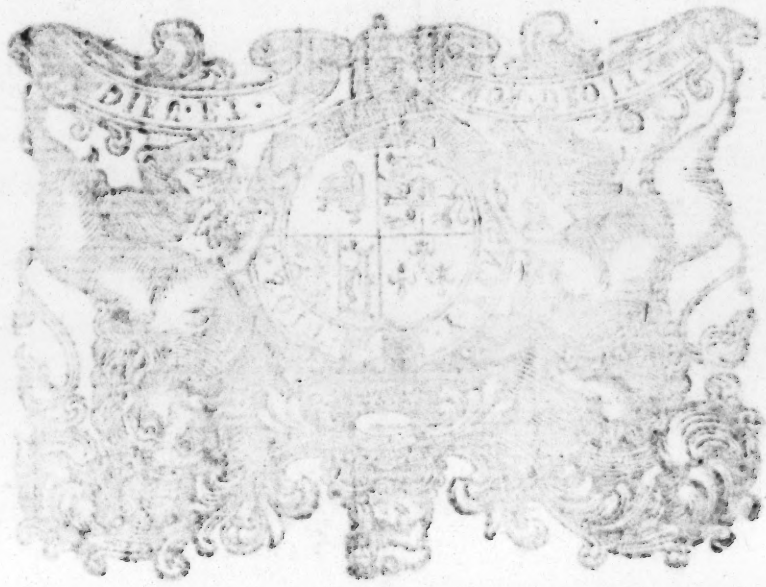
ACT

FOR

The more effectual preventing the pernicious Practice of burning Land.

DUBLIN:

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AN

ACT

FOR

The more effectual preventing the pernicious Practice of burning Land.

CHAP. XXIX.

CHAP. XXIX.

WHEREAS by an Act passed in the seventeenth Year of the Reign of His late Majesty King George the Second, to prevent the pernicious Practice of burning Land, and for the more

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effectual deſtroying of Vermin, which, Act as to ſuch Part thereof as relates to the burning of Land, was by an Act made in the Twenty firſt Year of the Reign of His late Majeſty, continued until the Twenty ninth of September, One thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament; and as to ſuch Part thereof as relates to the burning of Land, was, by an Act paſſed the laſt Seſſion of Parliament, intituled, an Act for reviving, continuing, and amending ſeveral Temporary Statutes, with ſeveral Amendments made perpetual. And whereas by the ſaid laſt recited Act, the original Leſſors where the Soil or Surface has been burned or permitted to be burned by the Occupiers of the Land, and not by the original Leſſees, have found great Difficulties in ſuing for and recovering the Penalty given by the ſaid Act: And whereas the Remedy provided by the ſaid Act has been found not only difficult to the Leſſors, but alſo diſadvantageous and very expenſive to the Leſſees, or Occupiers ſo burning; for Remedy whereof, be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal

poyal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of August, which will be in the Year One thousand seven hundred and sixty four, that in all Cases whatsoever, whether the Soil or Surface of any Land shall be burned or permitted to be burned by the original Lessee or Lessees, or by the Occupier or Occupiers of such Land, and where the Original Lessor of such Land shall not have consented to such Burning, in Manner as in the said Act is mentioned, that then and in such Case it shall and may be lawful to and for two or more of His Majesty's Justices of the Peace, within their respective Jurisdiction, to hear and determine in a summary way all Offences committed against the true Intent and Meaning of the said Acts, and for that purpose upon Information upon Oath given before them by the original Lessor, his or her Heirs or Assigns, or one or more credible Witness or Witnesses, on his or their Behalf, of the Offence of such pernicious Burning of Land, to Summon before any two or more of them, within their said Jurisdictions, any Party or Parties so accused as aforesaid of being an Offender

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or Offenders, against the true Intent and Meaning of the said Acts, and in Case the Party or Parties accused shall not appear on such Summons, or offer some reasonable Excuse for his, her, or their Default, then upon the Information upon Oath as aforesaid, it shall and may be lawful to and for the said two or more Justices as aforesaid, to issue their Warrant or Warrants under their Hands and Seals, for the apprehending the Party or Parties so accused as aforesaid, within the respective Jurisdictions, and upon their appearing, or in Case he, she, or they, shall not appear, and cannot be apprehended on a Warrant granted against him, her, or them, as herein before is directed, then upon Notice in Writing being given to or left for him, her, or them, at his, her, or their usual Place of abode, and such Notice being proved upon Oath, then and in any such Case, any two such or more Justices of the Peace, within their respective Jurisdictions, shall and may, and are hereby authorized and required to proceed to make inquiry touching the aforesaid Matters complained of, and to examine any Witness or Witnesses who shall be offered on either side, on Oath as aforesaid, and which Oath and Oaths aforesaid such Justices of the

the Peace are hereby authorized and required to administer, and after hearing of the Parties who shall appear, and the Witnesses who shall be offered on either side, such Justices of the Peace as aforesaid, shall convict or acquit the Party or Parties accused, of the Penalty or Penalties in the said recited Acts, or any of them mentioned, together with the Cost of surveying the Land so burned, and if the Penalty or Penalties inflicted by the aforesaid Act or Acts, and to be recovered in the summary way herein directed, shall not be paid within the Space of Twenty four Hours after any such Conviction, then the said Justices of the Peace so convicting the said Party or Parties, shall thereupon issue a Warrant or Warrants, under their Hands and Seals directed to any Peace Officer or Officers, within their respective Jurisdictions, impowering him or them to make Distress of the Goods or Chattles of the Offender or Offenders, and if any Offender shall convey away his Goods, out of the Jurisdictions of such Justices before whom he was convicted, or so much thereof, that the Penalty cannot be levied, then any Chief Magistrate or Justice of the Peace, within whose Jurisdiction the Offender shall have

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removed his Goods, shall back the Warrant granted by the said Justices of the Peace, before whom the Conviction was so had as aforesaid, and thereupon the Penalty or Penalties forfeited, together with the Cost of surveying as aforesaid, shall be levied on the said Offenders Goods and Chattles by Distress and Sale thereof; and if within five Days from the Distress being taken under the said Warrant of the said Justices of Peace, the Money forfeited shall not be paid, the Goods seized shall be appraized and sold, rendering the Overplus, if any, deducting the Penalty or Forfeiture, and the Costs and Charges of the Distress and Sale to the Owner, which Charges shall be ascertained by the said Justices of the Peace, before whom any such Offender shall have been so convicted, or by the said Chief Magistrate, or other Justice who backed the Warrant, and for want of such Distress, then it shall be lawful to and for the said Justices before whom the said Conviction shall be had, and to and for other Chief Magistrate or Justice within whose respective Jurisdiction any such Offender shall reside or be, on the Application of any Prosecutor or Prosecutors, and Proof made of the Conviction and Non Payment of the said

ſaid Penalty, Coſt, and Charges, by Warrant under his or their Hand and Seal, to commit every ſuch Offender or Offenders to the common Goal, within the City, County, or Place where the ſaid Offender ſhall be found, there to remain for the Space of three Months, unleſs from the Time of ſuch Commitment Payment ſhall be made of the ſaid Penalty and Forfeiture before the Expiration thereof.

And be it further Enacted by the Authority aforeſaid, That the ſaid Juſtices of the Peace, before whom any ſuch Perſon or Perſons ſhall be convicted in Manner preſcribed by this Act, ſhall cauſe ſuch reſpective Conviction to be drawn in the Form, and to the Effect following: that is to ſay, to wit,

Be it remembered that on this Day of in the Year of the Reign *A. B.* is convicted before His Majeſty's Juſtice of the Peace, for the ſaid County of or for as the Caſe ſhall happen for the pernicious burning of Land, to wit, the Quantity of and we do therefore adjudge him or them to pay and forfeit for the ſame, the Sum of together with the Coſt of for ſurveying the

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same. Given under our Hands and Seals the Day and Year aforesaid.

Provided allways, and it is hereby further Enacted, That if any Person or Persons convicted of any such Offence punishable as aforesaid, shall think him, her, or themselves aggrived by the Judgment of such Justices of the Peace before whom he, she, or they shall have been convicted, such Person or Persons shall have Liberty, from Time to Time, to appeal to the Justices at the General or Quarter Sessions of the Peace, unless the said Conviction shall be within ten Days of the said General or Quarter Sessions, and then at the next Sessions, or the next following to that, at the Option of the Party convicted, which shall be held for the said County, City, or Place, where such Judgments shall have been given, and that then the Execution of the Judgment shall in such Case be suspended, the Person or Persons so convicted entering into a Recognizance at the Time of such Conviction, with two sufficient Sureties in double the Sum which such Person or Persons shall have been adjudged to pay or forfeit, upon Condition to prosecute such Appeal with Effect, and to be forthcoming to abide the Judgment and

and Determination of the Justices, at their said General or Quarter Sessions, which Recognizance the said Justices, before whom such Conviction shall be had, are hereby impowered and required to take, and the said Justices, at the said General or Quarter Sessions, are hereby authorized and required to hear and specially determine the Matter of every such Appeal, and to award such Costs, as to them shall appear just and reasonable, to be paid by either Party; and if upon hearing the said Appeal, the Judgment of the Justice, before whom the Appellant or Appellants shall have been convicted, shall be affirmed, such Appellant or Appellants shall immediately pay down the Sum he, she, or they, shall have been adjudged to forfeit, together with such Costs as the Justices at their said General or Quarter Sessions award to be paid to the Prosecutor for defraying the Expences sustained by Reason of any such Appeal, and in Default of the Appellants paying the same, any two such Justices, or any one Magistrate or Justice of the Peace, having Jurisdiction in the Place into which any such Appellant shall escape, or where he, she, or they shall reside, shall and may, by Warrant under their Hand and Seal, or his Hand and Seal, com-

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mit every such Appellant or Appellants to the common Goal of the County, City, or Place where he, she, or they shall be apprehended, until he, she, or they shall make Payment of such Penalty, and of the Costs and Charges which shall be so adjudged to the said Prosetutor; but if the Appellant or Appellants, in any such Appeal, shall make good his, her, or their Appeal, and be discharged of the said Conviction, reasonable Costs shall be awarded, to the Appellant or Appellants against such Prosecutor or Prosecutors who would, in case of such Conviction, have been intitled to the Penalty to have been recovered as aforesaid, which Cost shall and may be recovered by the Appellant or Appellants against such Prosecutor or Prosecutors, in like Manner as is herein before directed to be recovered against such Appellant; and in case the said original Lessor, his or her Heirs, shall omit or neglect to proceed for the said Penalty as aforesaid, within six Calendar Months after any such pernicious Burning, that then it shall and may be lawful to and for the original Lessee, his or her Heirs, Executors, Administrators, or Assigns, within six Months next after the Expiration of the Time hereby given to the Original Lessor, to proceed in the

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the same Manner and Form for, and recover any such Penalty and Cost as is herein before directed in the Case of the original Lessor, and in case the original Lessee shall omit or neglect to proceed for the said Penalty and Cost as aforesaid, that then and in such Cases, it shall and may be lawful to and for the next immediate Lessor or Lessors, and so successively, to proceed for, and recover the said Penalty and Cost from the Occupier or Occupiers of the Land so burned by him, her, or them, within three Months next after the Time hereby granted to the original Lessee.

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AN

ACT

FOR

The more effectual amending and repairing the Road leading from the City of *Dublin* to the Bridge of *Dunleer* in the County of *Lowth*, and for the better ſecuring the Debts now due, or which ſhall hereafter become due to the Creditors of the ſaid Road.

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XXX.



AN

ACT

FOR

The more effectual amending and repairing the Road leading from the City of *Dublin* to the Bridge of *Dunleer* in the County of *Lowth*, and for the better ſecuring the Debts now due, or which ſhall hereafter become due to the Creditors of the ſaid Road.

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WHEREAS the Laws heretofore made for the repairing of the Road leading from the City of Dublin to the Town of Dunleer in the County of Lowth, have

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have not effectually anſwered the Purpoſes intended thereby, and it is found expedient to repeal the ſame, and to make the ſeveral Proviſions herein after mentioned, for the more effectually amending and repairing the ſaid Road, beginning at White's Lane in Dorſet Street in the ſaid City of Dublin; and for the ſecuring the Debts now due or which ſhall hereafter become due to the Creditors of the ſaid Road, be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of May, in the Year of Our Lord One thouſand ſeven hundred and ſixty four, an Act of Parliament made in the fifth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for repairing the Road leading from the City of *Dublin* to the Town of *Dunleer* in the County of *Lowth*, and one other Act of Parliament made in the ſeventh Year of the Reign of His ſaid late Majeſty King George the Second, intituled, An Act for making more effectual an Act paſſed in the fifth Year of the Reign of His late Majeſty King *George* the Second, intituled,

An

An Act for repairing the Road leading from the City of *Dublin* to the Town of *Dunleer* in the County of *Lowth*, be repealed and made Null and Void. CHAP. XXX.

And for the better ſurveying, amending, and repairing the ſaid Road, and for the ſecuring the ſaid Debts, be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Grace the Lord Primate of all Ireland, his Grace the Archbiſhop of Dublin, the Governors of Cuſtodes Rotulorum, and Knights of the Shire for the Counties of Dublin, Meath, and Lowth, the Repreſentatives in Parliament for the City of Dublin, and Boroughs of Swords, Drogheda, and Dunleer, the Lord Mayor of the City of Dublin, the Mayor of Drogheda, the Portrief of Swords, and Sovereign of Dunleer, the Rectors and Vicars of the ſeveral Pariſhes in the Baronies of Balrothery, Coolock, and Nethercroſs in the County of Dublin, of Duleek in the County of Meath, and of Atherdee and Ferrard in the County of Lowth, all for the Time being, and the Right Honourable John Lord Baron Bowes of Clonlyon Lord High Chancellor of Ireland, the Right Honourable Edward Earl of Meath, James Earl of Clanbraſil, Thomas

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Lord Viſcount Headford, John Lord Baron Bellew, the Right Honourable Charles Gardiner Eſquire, Sir Harry Cavendiſh Baronet, Sir Marcus Lowther Crofton Baronet, Sir Compton Domvile Baronet, Sir Henry Echlin Baronet, Sir Archibald Acheſon Baronet, the Reverend Sir Phillip Hoby Baronet, the Right Honourable Arthur Trevor Eſquire, the Honourable Mr. Juſtice Teniſon, the Right Honourable Philip Tisdal Eſquire, the Honourable Anthony Brabazon commonly called Lord Brabazon, William Bury Eſquire, Alan Bellingham Eſquire, Henry Bellingham Eſquire, Samuel Blacker Eſquire, Wallop Brabazon Eſquire, Robert Bolton Eſquire, Stephen Bomford Eſquire, John Marlow Eſquire, John Bury Eſquire, Robert Ball Eſquire, the Reverend Dean Corbet, Philip Crampton Eſquire, Dixie Coddington Eſquire, John Chamney Eſquire, Arthur Craven Eſquire, Thomas Cobb Eſquire, Alexander Mc Clintock Eſquire, Henry Coddington Eſquire, Graves Chamney Eſquire, John Coningham Eſquire, Alexander Carrol Eſquire, Richard Dawſon Eſquire, Dennis Doran Eſquire, Brabazon Eccleſton Eſquire, George Evans Eſquire, Siddenham Singleton Eſquire, the Reverend Doctor Thomas Foſter, William Foſter Eſquire, Anthony Forſter Eſquire, the Reverend John Forteſcue, the Reverend George Philips,

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the Right Honourable William Henry Forteſcue Eſquire, James Forteſcue Eſquire, Faithfull Forteſcue Eſquire, Alderman William Forbes, John Fitzpatrick Eſquire, Richard Gorges Eſquire, John Graham Eſquire, Henry Gonne Eſquire, George Gonne Eſquire, John Graham Eſquire, Charles Gordon Eſquire, James Grattan Eſquire, Hartley Hutchinſon Eſquire, James Hamilton Eſquire, Alexander Hamilton Eſquire, Alderman Edward Hardman, Alderman Edward Hunt, John Hatch Eſquire, Thomas Haſſard Eſquire, George Hamilton Eſquire, Iſaac Holroyde Eſquire, Richard Hamilton Eſquire, Alderman Perceval Hunt, Charles Hamilton Eſquire, Richard Jebb Eſquire, Thomas Morris Jones Eſquire, the Reverend George Jackſon, James King Eſquire, the Reverend Mr. Robert King, William Knox Eſquire, Alderman Robert King, Francis Leigh Eſquire, Gorges Lowther Eſquire, John Leigh Eſquire, Guſtavus Lambert Eſquire, William Moleſworth Eſquire, Henry Moore Eſquire, Alexander Montgomery Eſquire, Arthur Mervyn Eſquire, William Mercer Eſquire, William Mc Causland Eſquire, Edward Meade Eſquire, Henry Mitchel Eſquire, Arthur Meredyth Eſquire, Malcom Mc Neale Eſquire, William Maſſey Eſquire, Richard Morgan Eſquire, Henry Meredyth Eſquire, Major —— Moleſworth,

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George Meares Eſquire, John Marſhall Eſquire, Eyre Maſſey Eſquire, Brabazon Newcomen Eſquire, Edward Noy Eſquire, William Ogle Eſquire, John Owens Gentleman, Robert Percival Eſquire, Nathaniel Preſton Eſquire, Cromwell Price Eſquire, John Putland Eſquire, Richard Moore Eſquire, Thomas Pepper Eſquire, William Phillips Eſquire, Lambert Pepper Eſquire, Thomas Quinn Eſquire, Abell Ram Eſquire, John Rochfort Eſquire, Robert Roſs Eſquire, Right Honourable Hercules Langford Rowley Eſquire, James Stephenſon Eſquire, Stephen Sibthrop Eſquire, Thomas Shaw Eſquire, Trevor Stannus Eſquire, Robert Scott Eſquire, Harry Smith Eſquire, William Swan Eſquire, Sir Mayle Somervill Baronet, Hamilton Smith Eſquire, Jeremiah Smith Eſquire, William Sharman Eſquire, George Schoals Eſquire, Robert Sibthrop Eſquire, Mark Synot Eſquire, Ephraim Stannus Eſquire, Blaney Townly Balfour Eſquire, Thomas Tipping Eſquire, John Taaffe Eſquire, James Tisdall Eſquire, William Tighe Eſquire, Thomas Teniſon Eſquire, George Vernon Eſquire, James Wilkinſon Eſquire, Samuel Waring Eſquire, John Wynne Eſquire, the Reverend Mr. John Wynne, William Waller Eſquire, the Reverend Doctor Henry Ware and Bernard Ward Eſquire, and all his Majeſty's Juſtices of the Peace in the ſeveral Counties

ties of Dublin, Meath, and Lowth, who are hereby nominated and appointed Truſtees of the ſaid Road, and the Survivors of them, or any ſeven or more of them, or ſuch Perſon or Perſons as they or any ſeven or more of them ſhall authorize and appoint, to erect or cauſe to be erected one or more Gate or Gates, Turnpike or Turnpikes, in, upon, or acroſs any Part or Parts of the ſaid Highway or Road, (ſave and except in the ſaid Town of Dunleer and within half a Mile thereof) and alſo one or more Toll-houſe or Toll-houſes, and there ſhall demand, receive, and take the Tolls and Duties following before any Horſe, Mare, Gelding, Aſs, or Mule, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, or other Carriage, ſhall be permitted to paſs through the ſame, (viz.) for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair drawn by ſix Horſes, Geldings, Mares, or Mules, or by more than ſix, the Sum of Two Shillings and ſix Pence; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by four Horſes, Geldings, Mares, or Mules, the Sum of one Shilling and ſix Pence; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by two Horſes,

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Geldings, Mares, or Mules, the Sum of one Shilling; and for every Waggon, Wain, Cart or Carriage with four Wheels, the Breadth thereof being nine Inches at the Sole, and the Stakes thereof set on with flat or rose headed Nails, drawn by three or more Horses, the Sum of six Pence; and for every Waggon, Wain, Cart, or Carriage with two Wheels, the Breadth thereof being nine Inches at the Sole, and the Streaks thereof set on with flat or rose headed Nails, drawn by two or more Horses, Mares, Geldings, Asses, or Mules, the Sum of three Pence; for every Waggon, Wain, or Cart, with four Wheels narrower than nine Inches, the Sum of ten Shillings; for every Waggon or Wain with two Wheels narrower than nine Inches, having two or more Horses, the Sum of five Shillings; for every Carr or Cart, having but one Horse, Mare, or Gelding, the Breadth of the Wheels thereof being three Inches at the Sole, and the Streaks thereof set on with flat or rose headed Nails, the Sum of three half-pence; for every Carr or Cart with Wheels narrower than three Inches, the Sum of one Shilling, at each and every Turnpike Gate on the said Road, and for every Carriage, commonly called a Chair or

or Chaise drawn by one Horse, Mare, Gelding, or Mule, the Sum of Sixpence; and for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of one Penny; and for every Drove of Oxen, Colts, or Neat Cattle, the Sum of Twenty-pence by the Score, and so in Proportion for any greater or lesser Number; and for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence by the Score, and so in Proportion for any greater or lesser Number and for every Carriage whereon shall be carried or born any Millstone or Millstones, two Shillings and Six-pence, and for every Horse, Mare, Gelding, Cattle, Coach, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Carr, or other Carriage, travelling on Sundays from Sun-rise to Sun-set, double the aforesaid Tolls so to be paid by them on other Days; which said respective Sum and Sums of Money shall be demanded and taken in the Name of, or as a Toll or Tolls, and the Money thereby to be raised and collected is and shall be vested in the said Trustees, subject and liable to the Payment of the Debts now due to the Creditors of the said Road, which said Debts are hereby made a Charge upon the

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said Tolls, and the Interest due and to grow due for the same, and the said Tolls; and every Part thereof, shall be applied and disposed of, and assigned to and for the several Uses, Intents, and Purposes, and in such Manner as herein after is mentioned and declared and they the said Trustees, or any seven or more of them, are hereby impowered by themselves, or any Person or Persons by them, or any seven or more of them thereunto authorized, to levy the Tolls by this Act laid upon any such Person or Persons who shall after demand thereof made, neglect or refuse to pay the same as aforesaid, by Distress of any Horse, Gelding, Mare, Mule, or other Cattle or Goods, upon which such Tolls are by this Act imposed, or upon any other of the Goods and Chattles of such Person or Persons who ought to pay the same, and may detain and keep the same, until such Tolls, with the reasonable Charges of such detaining and keeping, shall be paid; and it shall and may be lawful to and for such Person and Persons so distraining, after the Space of four Days after such Distress made and taken, to sell the said Cattle or Goods so distrained and taken, returning the Overplus, if any there be, upon demand to the Owner or Owners thereof,

thereof, after such Tolls and reasonable Charges for distraining and keeping the same shall be deducted and paid: Provided that no Fish-carriage, which shall have more than two Wheels, and shall be employed only in carrying Fish to the Markets of Dublin, from any Sea-port, shall be liable to pay any of the Tolls imposed by this Act, but all such Carriages coming to, and returning from the said City of Dublin, shall and may pass Toll-free on all parts of the said Road.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any seven or more of them from Time to Time, during the Continuance of this present Act, to make out Warrants or Orders in Writing under their Hands directed to the Treasurer or Receiver of the said Tolls, thereby requiring him to pay thereout to the Person or Persons named in such Warrant or Order, their Executors, Administrators, and Assigns, the growing Interest of the Sum of Money mentioned in such Warrant or Order, as the same shall from Time to Time become due, until such Time as the Principal Sum mentioned in such Warrant or Order shall

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be paid off, and discharged at one intire Payment; Provided that no Warrant or Order, to be issued to the said Treasurer or Receiver by Virtue of this Act, shall be for any greater Sum than the Principal Sum of fifty Pounds.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons, to whom such Warrants or Orders shall be given, his, her, or their Executors or Administrators, may by Indorsements on such Orders or Receipts, transfer the Right and Benefit of the Sum mentioned in such Warrants or Orders, which Indorsements upon notice to the Treasurer, or Receiver of the said Tolls, and an Entry or Memorial thereof made in a Book, to be kept for that Purpose, which Entry or Memorial, the said Treasurer or Receiver, shall upon Request without Charge, Fee or Reward make accordingly, and shall on the like Request, permit to be viewed at reasonable Hours without Fee or Reward, shall intitle the Indorsee or Assignee, his or her Executors, Administrators, or Assigns, to the sole Benefit of the Sum so transferred or assigned, and that the said Warrant or Order may in like Manner be Assigned,

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or transferred by such Assignee, his, or her Executors, or Administrators, and so toties quoties, and that after such Assignment it shall not be in the power of the person or persons, who made such Assignment, to make void, release, or discharge the said Assignment, or the Sum thereby transferred or Assigned, or any part thereof.

And be it further Enacted by the Authority aforesaid, That the Clerk, Treasurer, or Receiver of the said Tolls, shall Arithmetically Number all the Warrants or Orders, which shall be given or delivered out in Pursuance of this Act, as they shall be delivered out, commencing by Number one, and so continuing the Numbers, till the whole be Arithmetically numbered.

And be it Enacted by the Authority aforesaid, That all the Warrants and Orders heretofore issued and granted by the Trustees of the said Road, in Pursuance of the said two several Acts so repealed, or either of them, shall stand and remain in the same plight and Condition, and be of as full Force and Effect, for the Benefit of the Persons intitled to the same, as if this Act had never been made.

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And be it further Enacted by the Authority aforesaid, That the several Tolls and Duties hereby made payable, shall be applied and paid to the Discharge of the Interest of the said Debts so due to the Creditors of the said Road, and the Interest of such other or further Sum or Sums as shall be hereafter borrowed for the Use of the said Road, and after Payment of the said Interest towards repairing and amending the said Road, and that all the Surplus of the said Tolls and Duties hereby made payable over and above what shall be sufficient to Discharge the said Interest, and to amend and repair the said Road, shall be applied towards the Discharge of the Principal of the said Debts, and of such other and further Sums as shall hereafter be borrowed as aforesaid, in Manner hereafter mentioned, (viz.) that is to say; When and as often as such Surplus received by the said Treasurer or Receiver, shall amount to the Sum of two hundred Pounds, that then the said Treasurer or Receiver shall cause the Number of all the Warrants or Orders, which heretofore have been granted in Pursuance of the said two several Acts, or either of them so repealed, and which shall hereafter be issued

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and delivered out in Purſuance of this Act, and the Sum therein contained, to be written on ſeveral Tickets or Pieces of Parchment to be rolled and ſealed up, and put into a Box or Urn, and well mixed together, and an indifferent Perſon to be appointed by the ſaid Truſtees, or any ſeven or more of them, ſhall publickly between the Hours of ten and twelve in the forenoon, of a Day to be by the ſaid Treaſurer or Receiver publickly advertized in the Dublin Gazette for that Purpoſe, at leaſt twenty Days before, at the Tholſel of the City of Dublin, draw out of ſuch Box or Urn, as many of the ſaid Tickets or Pieces of Parchment, as the Sums therein contained ſhall amount to the ſaid Sums of two hundred Pounds, and the Perſon or Perſons the Number of whoſe Warrants or Orders ſhall be ſo drawn, his, or their Executors, Adminiſtrators, or Aſſigns, ſhall within twenty Days after the ſaid Warrants or Orders ſhall be drawn, be paid by the ſaid Treaſurer or Receiver the Principal Sum or Sums ſo to him, her, or them reſpectively due, with the Intereſt of the ſame till paid, and ſhall upon Payment thereof deliver up his and their ſeveral and reſpective Warrants or Orders to the ſaid Treaſurer or Receiver

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to be cancelled, which he is hereby required to cancel accordingly, and the Interest payable by Virtue of such Warrants or Orders shall cease from the Expiration of twenty Days, to be accounted from the Day of drawing the said Tickets or Pieces of Parchment.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, owning, renting, or occupying any Land, near unto any Turnpike heretofore erected or to be erected, in pursuance of this Act, shall for gain, reward, or otherwise, willingly permit any Person or Persons whatsoever to pass through any Gate, Passage, or Way; with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waim, Cart, Carriage, or riding, or driving any Horse, Ass, Mule, or any sort of Cattle, to avoid the Payment of the Toll hereby appointed to be paid, and be thereof convicted upon Oath, before the said Trustees, or any seven or more of them, or before one or more Justice or Justices of the Peace for the County wherein such Offence or Offences shall be committed, who are hereby impowered and required to administer such Oath, every such Person shall forfeit and pay

pay to the Truſtees authoriſed to put this Act in Execution, the Sum of ten Shillings, to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the ſaid Truſtees, or any ſeven or more of them, or of ſuch Juſtice or Juſtices rendering the Overplus, if any be, to the Owner, the Charges in taking and diſpoſing of the ſaid Goods being firſt deducted.

And be it further Enacted by the Authority aforeſaid, that it ſhall and may be lawful to and for the ſaid Truſtees, or any ſeven or more of them, to erect one or more Gate or Gates, Turnpike or Turnpikes, on the ſide of the ſaid Highways or Roads acroſs any Lane or Way leading out of the ſaid Road, and Toll-Houſe, or Toll-houſes, and there to receive and take ſuch Toll as is appointed by this Act to be taken, ſo as the ſame do not extend to a double Charge, in Caſe of paſſing through any other of the Turnpikes to be erected by virtue of this Act.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any ſeven or more of them, at their

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first Meeting or any succeeding Meeting by Writing under their Hands and Seals, shall and may elect, nominate, or appoint, one or more Person or Persons to be Treasurer or Treasurers, Collector or Collectors of such Money, in the Name of such Toll or Duty as shall be due and payable by virtue of this Act, and also one or more fit Person or Person, to be a Surveyor or Surveyors to see the Condition of the said Highway or Road, and to see that the same be repaired and amended, and that the Money arising and expended by virtue of this Act, be duly applied, and from Time to Time, to remove such Treasurers, Collectors, and Surveyors, or any or either of them, as they shall see Occasion, and appoint new ones, in Case of Death, or of such removal, and such Person or Persons as is or are by this Act liable to pay the said Toll or Duty, is and are hereby required to pay the same, after the Rates aforesaid, to the said Treasurer or Treasurers, Collector or Collectors of the said Toll or Duty, in that behalf from Time to Time appointed as aforesaid, and the Person or Persons so appointed as aforesaid, shall upon Oath, if thereto required by the said Trustees, or any seven or more of them,

or

or before one or more Justice or Justices of the Peace, residing near the Highway or Road aforesaid, which Oath the said Trustees, or any seven or more of them, or such Justice and Justices, is and are hereby impowered and required to administer on the first Tuesday in every Month, or oftner if required, during the Continuance of this Act, give in a true exact, and perfect Account in Writing under their respective Hands, of all Monies which he and they, and every or any of them shall to such Time have received, paid, and disbursed by virtue of this Act, by Reason of their respective Offices for which Oath no Fee or Reward shall be taken; and in Case any Money so received shall remain in their or any of their Hands, the same shall be paid to the said Trustees, or any seven or more of them, or to such Person or Persons as the said Trustees or any seven or more of them (as they are qualified to Act) shall by any Writing or Writings under their Hands and Seals authorize and impower to receive the same, which shall be disbursed and laid out in amending and repairing the said Highways or Roads, according to the true Intent and Meaning of this Act, and not otherwise; and the said Trustees, or any seven or more

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of them, to whom such Accounts shall be given, shall and may out of the Money arising by the said Toll or Duty, make such Allowance unto the said Treasurer or Treasurers, Collector or Collectors, and the Surveyor or Surveyors, for and in Consideration of his and their Care and Pains respectively taken in the Execution of his and their Office and Offices, and to such other Person or Persons who have been, or shall be assisting in and about procuring the said Highways and Roads to be amended and repaired, by advancing or laying out any Monies or otherwise relating thereunto, as to them shall seem Good, so as such Allowance or Allowances to such Treasurer or Treasurers, Collector or Collectors, do not annually exceed in the whole the Sum of forty Pounds, and to such Surveyor or Surveyors, the Sum of three Shillings per Diem, during such Time or Times as he or they shall be respectively employed in the Repair of the said Roads, and so as such Allowance or Allowances to any other Person or Persons, who shall be employed by virtue of this Act, does not exceed the Sum of fifteen Pounds yearly to each Person, and in Case the said Treasurer or Treasurers, Collector or Collectors of the aforesaid

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Toll or Duty, or any of them, shall not make such Account and Payment unto such Person or Persons, according to the Orders and Directions of the said Trustees, or any seven or more of them as aforesaid, that then the said Justices of the Peace, at any special Sessions or Meeting of them, to be holden for the County in which such Receiver or Receivers, Collector or Collectors have acted or been employed and made such Default as aforesaid, shall and are hereby required and impowered to make enquiry, and finally to determine, of, and concerning such Default, as well by Confession or Examination upon Oath of the said Parties themselves, as by the Testimony of one or more credible Witness or Witnesses upon Oath, which Oath they are hereby impowered and required to administer without Fee or Reward, and if any Person or Persons shall be convicted thereof by such Justices, they the said Justices shall upon Conviction commit the Party or Parties to the common Goal of the County where such Offence shall be committed, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment as aforesaid.

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And be it further Enacted by the Authority aforesaid, that it shall and may be lawful to and for the said Surveyor and Surveyors, and such person or persons as he or they, or the said Trustees or any seven of them shall appoint, to digg, raise, gather, and take any Gravel, Furze, Sand, Stones, or other Materials out of the several Grounds of any person or persons not being a Garden, Orchard, or Deer-park-yard, planted Walk or Walks, or Avenue to a House, where any such Materials are or may be found, and from Time to Time to carry away such and so much thereof, as the said Surveyor or Surveyors in their respective places shall adjudge necessary for the Repairing and Amending the said Highways or Roads, paying such Rate for such Materials, and for the Damage, to the Owner, or Occupier of the Ground from which the same shall be digged, raised, gathered, and carried away, as the Trustees appointed, or to be appointed, to put this Act in Execution, shall adjudge reasonable; and in Case of any Difference between such Owner or Occupier, and the said Trustees, touching the Value of the Materials and Damage aforesaid, the

Judges

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Judges of Assize, or the Justices of the Peace, at the next general Assizes and general Goal delivery, or Quarter Sessions to be holden in the County where the said Materials shall be digged, raised, or gathered, and from which the same shall be carried away, may and shall adjudge, assess, and finally determine the same, and in Case any such Owner or Occupier of the Grounds where such Materials may be had, or any other Person shall oppose or hinder the Person or Persons, so as aforesaid authorized, in searching for, raising, digging, or carrying away any Gravel, Furze, Sand, Stones, or other Materials, every such Person or Persons so offending, being thereof convicted upon Oath before one or more Justice or Justices of the Peace for the said County, where such Offence shall be committed, shall for every such Offence forfeit the Sum of twenty Shillings, to be paid to the said Trustees, and levied by Distress and Sale of the said Offenders Goods and Chattles, in such Manner as the Penalties herein before mentioned are appointed to be levied.

And be it Enacted by the Authority aforesaid, that it shall and may be lawful

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to and for the Surveyor or Surveyors, and such Person or Persons as he or they, or the said Trustees, or any seven of them, shall appoint from Time to Time, to remove and prevent any Annoyances on any part of the said Highways or Roads hereby intended to be repaired by Filth, Dung, Ashes, Rubbish, Water-courses, Sinks, or Drains, running into the said Highways or Roads, and to Cleanse any Ditch or Water-courses, adjoining to the said Roads, or to cut down, lop, or top, any Trees, or Bushes, growing in the said Highways, or in Hedges, or Banks adjacent to the said Highways, and to take and carry away the same, the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such other Annoyances for the Space of ten Days after Notice in Writing, given for that Purpose under the Hands of seven of the said Trustees, the Charges whereof shall be reimbursed, the said Surveyor or Surveyors by such Owners or Occupiers, neglecting to cut down the said Trees or Bushes, or to remove such other Annoyances as aforesaid, and if after removal of any such Annoyances any Person or Persons shall again offend in the like kind, every such Person or Persons so

so offending, and being thereof convicted upon Oath before one or more Justice or Justices of the Peace, for the said County where such Offence shall be committed, shall for every such Offence forfeit and pay unto the said Trustees where such Offence shall be committed, the Sum of ten Shillings, to be levied in Manner aforesaid. CHAP. XXX.

And be it further Enacted by the Authority aforesaid, that it shall and may be lawful to and for the said Surveyor or Surveyors, by Order of the said Trustees, or any seven or more of them, to make or cause to be made Causeways, and to cut and make Drains through any Grounds lying contiguous to the said Roads, and to erect Arches of Brick, Timber, or Stone thereupon, and also to widen any of the narrow Parts of the said Highways or Roads, to the Breadth of Forty two Feet in the clear, by opening, clearing, and laying into the said Highways or Roads, any Grounds of any Person or Persons lying contiguous to such Highways or Roads, not being a planted Walk or Avenue to a House, and also to cause Ditches or Trenches to be made in such Manner, as such Surveyor or Surveyors

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by Order of the said Trustees, or any seven or more of them, shall adjudge necessary for the better amending and keeping the said Highways or Roads in good Repair, making such reasonable Satisfaction to the Owner or Occupier of such Ground, which shall be so laid in or unto the said Highways or Roads, or through which any such Drain or Drains shall be cut, or on which any such Arch or Arches shall be made, for the Damages which he or they shall or may thereby sustain, as shall be assessed and adjudged, in Case the same cannot otherwise be settled, by the next going Judge or Judges of the Assizes, or Justices of the Peace, or the major Part of them, at the next General Assizes or Quarter Sessions holden for the County in which such Ground shall be laid into the said Highways or Roads, and through which any new Road, Drain or Drains, Ditch or Diches, shall be cut or made, or on which such Arch or Arches shall be erected or made, or such Causeways made in Case of any Difference concerning the same, and if any Owner or Occupier of any Water-Courses, Ditch, or Ditches, adjoining to the said Highways or Roads, shall neglect or refuse to scour or cleanse such Water-courses, and to make such Ditches so deep, and

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in such Manner as the Surveyor or Surveyors shall adjudge proper and convenient, after ten Days Notice shall be given for that Purpose by such Surveyor or Surveyors to be appointed, or such Person or Persons as shall be appointed by him or them, to such Owner or Owners, it shall and may be lawful to and for the Surveyor or Surveyors to set any Man or Men to Work to scour, or cleanse, or make the same, and by Warrant from any seven or more of the said Trustees, to levy the Charge thereof upon the Person's Goods or Estates of the Owner or Owners, Occupier or Occupiers, of such Water-Course, Ditch or Ditches, by Distress and Sale of his, her, and their Goods and Chattles, rendering the Overplus (if any be) to the Owner or Occupier, after all Charges paid.

And whereas that part of the said Road which lies between the seven Mile-stone, and the Sign of the Horse and Cart situate between the fifteenth and sixteenth Mile-stones on the said Road, and also that part of the said Road which lies between the twenty second Mile-stone on the said Road, and the Town of Drogheda, is extreamly crooked and hilly, and incon-

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venient to Travellers, and the said Road might be carried between the said Points by a much straighter and a more level Course, whereby the said Road would be considerably shortened, and the Hills over which it now passes, in such Parts thereof altogether avoided: Be it therefore further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any seven or more of them, and they, or any seven or more of them are hereby required, in case they shall be enabled thereto by the Tolls of the said Road, or can borrow more Money sufficient for that Purpose, to make the said Road from the said seven Mile-stone, unto the said Sign of the Horse and Carr, situate as aforesaid, between the fifteenth and sixteenth Mile-stones on the said Road, and from the said twenty second Mile-stone on the said Road, to the Town of Drogheda, in a short and direct Line or Lines as may be; and in order thereto, it shall and may be lawful for the said Trustees, or seven or more of them, to describe, ascertain, and lay out such Parts, and so much of the Ground lying between the Points before mentioned, as they the said Trustees, or any seven or more of them shall judge necessary for such

such new Parts of the said Road: Provided that no Parts of the said Grounds so to be laid out for the Use of the new Parts of the said Road be built on, and that the same be not Part of any planted Walk or Avenue to a House, or of a Park or Paddock which has been under Deer before the Commencement hereof, and the said Trustees, or any seven or more of them, are hereby further authorized to treat and agree with the Owners and others interested in the said Ground, to be made use of in making the said new Parts of the said Road as aforesaid, for such Recompence and Satisfaction to be made for the same out of the Tolls and Duties arising by Virtue of this Act, as the said Trustees, or any seven or more of them shall think fit and reasonable; and in case any Person or Persons shall neglect or refuse to treat or agree as aforesaid, or through any disability by Nonage Coverture, or special Limitation in any Settlement or Settlements, or by Reason of any other Impediment cannot, or otherwise howsoever shall refuse to dispose of their respective Interests in such Land, in such Manner as the said Trustees, or any seven or more of them shall think convenient for the shortening the said Road, in

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every such Case the said Trustees, or any seven or more of them, are hereby authorized and impowered to issue forth their Warrant or Warrants to the Sheriff or Sheriffs of the County wherein such Ground doth lye, to impannel and return before the said Trustees, or any seven or more of them, at such Time and Place within the said County as shall be appointed in such Warrant or Warrants, provided such Time is not less than twenty Days from the issuing such Warrants, and that notice thereof be given to the Owners or Tenants of the said Lands, or the Persons in Possession of the same, within three Days after the issuing the said Warrants, a sufficient Jury, who upon their Oaths, which said Oaths the said Trustees, or seven or more of them, are hereby impowered and required to administer, shall enquire into the True and real Value of such Ground, to be made use of for such new Part or Parts of the said Highway or Road, and such Verdicts and Inquisitions as shall be so found and returned by the said Jury, ascertaining the Value of such Ground, upon such Value being paid to Owners of said Lands, or in case of their refusing to accept the same, to such Person or Persons as the said

Trustees

Trustees, or seven of them, shall appoint for their use shall be final and conclusive, as well to the said Trustees, as to the several and respective Owners and Proprietors of such Ground, and all persons claiming any Estate, Right, or Interest in the same, notwithstanding any such Unwillingness, Disability, or Incapacity whatsoever, in the Owners or persons interested in the said Grounds.

And forasmuch as the Money so to be collected by such Receipts of the said Tolls, may not at present be sufficient for the making of such new Parts of the said Road, and for amending or keeping in repair the other parts thereof: Be it therefore further Enacted by the Authority aforesaid, That the said Trustees, or any fifteen or more of them, shall and may, and are hereby impowered from Time to Time, by Writing under their respective Hands and Seals, to assign over the said Tolls or Duties hereby granted, or any part thereof, the Costs and Charges whereof to be born and paid out of such Toll or Duty, for any Term or Time during the Continuance of this Act, as a Security for any Sum or Sums of Money, to be by them borrowed, to such Person or Persons, or their Trus-

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tees, who shall advance or lend the same, for the Payment thereof, with lawful Interest, or less if the same can be so had, which said Money so borrowed, shall be applied and disposed of, in the making and inclosing the said new Part or Parts of the said Road and building Bridges or Arches, where it shall be judged Necessary, over the several Rivers and Waters that may cross the said new Part or Parts, for repairing and shortening of the said Road, and as the Toll or Duty is by this Act to be applied and disposed of, and to no other Purpose whatsoever.

And be it further Enacted by the Authority aforesaid, That the old Parts of the said Road, between the Points herein before mentioned, where the said new Parts of the said Road, are to begin and end, shall from and after the Time that such new Parts of the said Road shall be compleatly finished and opened for Travellers, and no sooner, cease to be Part or Parts of the said Turnpike Roads, and to be any longer under the Care and Government of the Trustees appointed for putting this Act in Execution,

And

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And be it further Enacted by the Authority aforesaid, That the said Road so leading from White's Lane in the City of Dublin, to the Bridge of Dunleer aforesaid, shall be divided into two Parts, and that so much of the said Road as lies within the County of Dublin, and reaches from White's Lane in the City of Dublin, to the Bridge of Gormanstown, on the said Road, shall hereafter be distinguished and known by the Name of the Southern Division of the said Road, and so much thereof as reaches from the said Bridge of Gormanstown, to the said Bridge of Dunleer, shall hereafter be distinguished and known by the Name of the Northern Division of said Road.

And be it further Enacted by the Authority aforesaid, That no Person or Persons shall be obliged to pay any of the Tolls herein before mentioned more than once in the same Day within either of the Divisions of the said Road, but every Person having paid the Toll or Duty, hereby imposed at any one of the Gates erected, or to be erected on the said Road, between the City of Dublin and the Bridge of Gormanstown, on producing a Note or Ticket thereof, (which the Receiver or Receivers of

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the ſaid Tolls are hereby required to give without Fee or Reward, ſhall be permitted to paſs free through all the ſeveral Gates on the ſaid Part of the ſaid Road, at any Time during the Day in which he has once paid the ſaid Toll as aforeſaid, and ſo in like Manner, having once paid the ſaid Toll, at any one of the Gates on the ſaid other Part of the Road, between Gormanſtown Bridge, and the Bridge of Dunleer, ſhall, on producing ſuch Ticket or Note thereof, be admitted at any Time during the ſaid Day, to paſs through the other Gates, on the ſaid Part of the ſaid Road, but it is the true Intent and Meaning of this Act, that every Perſon ſhall pay twice on the ſame Day, in caſe he ſhall travel over more of the ſaid Road, than is contained in one Diviſion of the ſame;

And for preventing Frauds and Abuſes, with reſpect to the ſaid Toll or Duty, be it further Enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall force his or their Way through any of the ſaid Gates without paying ſuch Tolls, as by this Act he is bound to pay, or if any Perſon or Perſons having paid the Toll or Duty by this Act granted and made

made payable, and having such Note or Ticket, Notes or Tickets, as hereby directed, shall give or dispose of the same to any other Person or Persons, in order to avoid the Payment of the said Toll or Duty, every such Person giving, disposing, or offering, and the Person receiving such Note or Ticket, Notes or Tickets, and being thereof convicted upon Oath before the said Trustes, or any seven or more of them, or before any one or more Justice, or Justices of the Peace, for the County wherein such Offence or Offences shall be committed, which Oath the said Trustees, and the said Justice or Justices, are hereby impowered to administer, shall respectively forfeit and pay the Sum of ten Shillings, to be levied, recovered, and disposed of, as any other Penalty or Forfeiture is directed to be levied, recovered, or disposed of by this Act. CHAP. XXX.

And be it further Enacted by the Authority aforesaid, That the said Trustees or any fifteen or more of them, may and are hereby impowered from Time to Time, as they shall see convenient or think fit, to compound or agree by the Year, or otherwise, with any Person or Persons using to travel through the Turnpike or

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Turnpikes, erected or to be erected, with any Milch Cows, Horse, Mare, or Gelding, Als, or Mule, or with any Coach, Berlin, Calash, Chaise, Chair, Waggon, Cart, Carr, or other Carriage, for any Sum or Sums of Money, to be paid quarterly, from Time to Time, after such Agreement shall be made.

Provided also, and it is hereby declared, That no Person shall be charged with any of the Tolls or Duties aforesaid, who shall pass through any of the Turnpikes to be erected by this Act, who shall carry any Quantity of Stones, Gravel, or other Materials, for the Repairing of the said Roads, or any of the Parishes wherein the same do lie, or in any of the neighbouring Parishes, nor shall any Person or Persons be chargeable with the said Toll or Duty, for any Carts, Carrs, or Waggons, loaded with Corn in the Straw only, nor for any Ploughs, Harrows, or other Implements of Husbandry, which may be carried in order for the using or repairing of the same, in the several Parishes in which the said Highways or Roads hereby intended to be repaired do lye, nor shall any Toll or Duty be demanded or taken, at any of the Turnpikes to

to be erected as aforesaid, for any Horse, Mare, Gelding, Ass, Mule, or other Cattle, going to Water or Pasture, or for any Post-Horse, carrying the Mail or Packet, or for such Horse as is or shall be used only to ride on by the Owner or Driver of any Waggon, Cart, or Carriage; provided such Horse pass through the said Turnpike or Turnpikes with such Waggon, Cart, or Carriage, nor shall any Toll or Duty be demanded or taken from any Horse or Horses of Soldiers passing, that are upon their March, or for any Waggons, Carts, Carrs, or other Carriages attending them, or for Horses, Waggons, Carts, Carrs, or other Carriages travelling with Vagrants sent by passes, or with Prisoners transmitted from one Part of the Kingdom to another.

And be it further Enacted by the Authority aforesaid, That the Toll or Duty hereby granted, and this present Act, shall take Place from and after the first Day of May next, and have Continuance thenceforth, for and during the Term of Forty-one Years.

Provided nevertheless, that if at any Time before the Expiration of the said

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Term of Forty-one Years all Parts of the said Road shall be sufficiently amended and repaired, and shall be so adjudged by the Majority of the Trustees appointed, or hereafter to be chosen, by virtue of this Act, by an Adjudication under their Hands and Seals, that then and from and after such Adjudication made and Re-payment of such Money, as shall have been advanced and borrowed with Interest for the same, and the Costs and Charges thereof, the Tolls and Duties shall cease and determine; any thing herein contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, that for the continuing a sufficient Number of fit and able Persons to be Trustees for putting in Execution all and every the Powers in this Act contained for and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any seven or more of them, upon the Death of any of the said Trustees, or of their Removal or refusing to act in the said Trust, by any Writing or Writings under their Hands and Seals from Time to Time, and at all Times hereafter during the Time aforesaid, to elect, nominate, and appoint in the Room

Room of ſuch Truſtee or Truſtees ſo de- CHAP. ceaſed, removed, or refuſing to Act, other XXX. fit and able Perſon or Perſons, ſo as ſuch Perſon or Perſons, ſo to be choſen and elected, be worth in perſonal Fortune the clear Sum of Two thouſand Pounds, or ſhall have Lands, Tenements, and Hereditaments, of the clear yearly Value of One hundred Pounds in the City of Dublin, or in the Counties of Dublin, Meath, or Louth, or County of the Town of Drogheda, or in the Counties of Down, Armagh, or Antrim, to be joined with the ſaid Truſtees in the Execution of all and every the Power and Powers in them repoſed by Virtue of this Act, and all and every Perſon and Perſons, ſo to be choſen Truſtee or Truſtees to join in putting this Act in Execution, as they are herein before qualified to do, ſhall and may, and are hereby impowered to act to all Intents and Purpoſes in as full, large, and ample Manner, as the ſaid Truſtees are by this Act impowered to do, and ſo toties quoties, as often as Occaſion ſhall be and require.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or

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seven or more of them, and the said Trustees, or seven or more of them, are hereby required to meet on the first Monday in the Months of April, May, and June, in every Year, in order to grant Money for the amending and repairing of the said Road, and for the doing any other necessary Business relative to the said Road, and that no Money shall be granted at any Board for the amending and repairing any Part of the said Road, unless it shall appear by the Affidavit of two credible Persons that such Sum is necessary to make or repair so many Perches of the said Road, at the Rate of so much by the Perch, and that a smaller Sum will not be sufficient to amend or repair the same, no Money shall be paid by any Treasurer to any Overseer, unless the said Overseer, maketh Oath before some Justice of the Peace, or before the Board, to consist of seven of the said Trustees at least, that the said Sum hath been faithfully and honestly expended in amending or repairing so many Perches of the said Road, and for his Wages being so much a Day, and that he did attend the said Work diligently and carefully, and shall produce to the said Justice, or to the Board, an exact Account of the Number of

of Men, Horſes, and Carrs employed each Day at the ſaid Work, and ſhall ſwear to the Truth of the ſaid Account; and then, and not before, the ſaid Juſtice, or the ſaid Board, ſhall give an order to ſuch Overſeer or the Treaſurer for the Payment of the Amount of the ſaid Account; provided however, that if it ſhall appear to the ſaid Truſtees, or any ſeven or more of them, that all or any of the above Particulars hereby made Neceſſary, previous to the granting or paying any Money for the Amendment and Repairs of the ſaid Road cannot be complied with in the making of ſuch new Parts, of the ſaid Road, as are herein before deſcribed and mentioned, then and in ſuch Caſe, the ſaid Particulars or ſuch of them, as cannot be complied with, ſhall and may, at the diſcretion of the ſaid Truſtees, be diſpenſed with.

And be it Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any fifteen or more of them, ſhall meet at the Tholſel in the City of Dublin, on the ſecond Day of June next, and the ſaid Truſtees ſhall afterwards meet there, or at any other Place or Places near the

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said Highways or Roads, to be repaired, which the said Trustees, or any seven or more of them, shall think proper or convenient, as often as it shall be Necessary, for the putting this Act into Execution, and if it shall happen that there shall not appear, at any Meeting which shall be appointed to be had or held by the said Trustees, seven or more of the said Trustees, who are hereby appointed a Quorum for putting this Act into Execution, except in such Cases where a greater Number is expressly required by this Act, then and in such Case the Clerk to the said Trustees by Notice in Writing to be affixed, at their respective Gates or Turnpikes, at least Twenty-one Days before the next Meeting, shall appoint the said Trustees to meet at the House where the Meeting of the said Trustees was last appointed to be had or at the Tholsel aforesaid, or at some other convenient House near the said Road, and the said Trustees at their first Meeting, and all other subsequent Meetings, shall defray their own Charges and Expences.

And

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And be it Enacted by the Authority aforesaid, That an Act made in the Twenty third Year of the Reign of His late Majesty King George the Second, intituled, An Act for the more effectual amending and keeping in repair the several Turnpike Roads in this Kingdom, and for the better securing the Creditors of the said Road, and all and every the Powers, Authorities, Articles, Rules, Penalties, and Clauses, (except what are hereby altered) shall be of full Force and Effect, and shall continue and be executed and observed, by the several Trustees herein before named, and their Successors, for and during the Continuance of this present Act.

Provided allways, and be it further Enacted by the Authority aforesaid, That no Person or Persons appointed, or to be appointed by this Act, a Trustee or Trustees, for putting this Act in Execution, shall have, or accept of any Place of Profit arising out of, or by Reason of the Toll or Duty by this Act laid or granted, but such Person or Persons shall be incapable from the Time of accepting and continuing to

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enjoy such Place of Profit, of acting as a Trustee.

And be it further Enacted by the Authority aforesaid, That if any Suit shall be commenced against any Person or Persons, for any thing done in Pursuance of this Act, in every such Case the Action shall be laid in the said County of Dublin, County of Meath, County of Lowth, or County of the Town of Drogheda, and not elsewhere, and the Defendant or Defendants in such Action or Actions to be brought, may plead the general Issue, and give this Act and the special Matter in Evidence at any Tryal to be had thereupon, and that the same was done in Pursuance and by the Authority of this Act, and if it shall appear so to be done, or that such Action or Actions shall be brought in any other County, that then the Jury shall find for the Defendant or Defandants, and upon such Verdict, or if the Plaintiff shall be non-suited or discontinue his Action after the Defendant or Defendants shall have appeared, or if upon any Demurrer, Judgment shall be given against the Plaintiff the Defendant or Defendants, shall and may recover Treble Costs, and have

have the like Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law. CHAP. XXX.

And be it further Enacted by the Authority aforesaid, That this Act shall be deemed, adjuged, and taken to be a publick Act, and shall be judicially taken notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

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AN

ACT

FOR

The more effectually amending and repairing the Road leading from the Town of *Dundalk* in the County of *Lowth*, to *Bann-Bridge* in the County of *Downe*, and for the better ſecuring the Debts now due, or which ſhall hereafter become due to the Creditors of the ſaid Road.



DUBLIN:

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CHAP. XXXI.

AN

ACT

FOR

The more Effectually amending and repairing the Road leading from the Town of *Dundalk* in the County of *Lowth*, to *Bann-Bridge* in the County of *Downe*, and for the better ſecuring the Debts now due, or which ſhall hereafter become due to the Creditors of the ſaid Road.

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WHEREAS the Laws heretofore made for repairing the Road leading from the Town of Dundalk, in the County of Lowth, to a Bridge over the River Bann, commonly called

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Bann-Bridge in the County of Downe, have not effectually answered the Purposes intended thereby, and it is found expedient to Repeal the same, and to make the several Provisions herein after mentioned, for the more effectually Amending and Repairing the said Road, and for the better securing the Debts now due, or which shall hereafter become due to the Creditors of the said Road: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lord Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of May in the Year of our Lord, One thousand seven hundred and fifty four, an Act made in the seventh Year of the Reign of His late Majesty King George the Second, intituled, An Act for Repairing the Road leading from the Town of *Dundalk* in the County of *Lowth*, to a Bridge over the River *Bann*, commonly called *Bann-Bridge*, in the County of *Downe*, be repealed and made null and void.

And be it further Enacted by the Authority aforesaid, that for the better surveying, ordering, amending, and keeping in Repair the

the ſaid Highway or Road, the Governors and Cuſtodes Rotulorum, of the Counties of Lowth, Armagh, and Downe, the Knights of the Shire for the ſaid Counties of Lowth, Armagh, and Downe, and the Repreſentatives in Parliament for the Boroughs of Dundalk and Newry, the Lords of the Lordſhip of Ballymaſcanlon and Newry, the Bailiff of Dundalk, or his acting Deputy, the Seneſchals of Ballymaſcanlon and Newry, the Rectors or Reſident Vicars of Dundalk, Hoynſtoon, Lowth, Foughart, Joneſborough, Newry, Donaghmore, Loughbrickland, and Seapatrick, all for the Time being, the Right Honourable Alexander Earl of Antrim, the Honourable Mr. Baron Dawſon, William Mercer Eſquire, Edward Trevor Gentleman, John Reilly, Alexander Hamilton, and Francis Forteſcue Eſquires, The Reverend Doctor John Kearney, The Reverend Hugh Hill, Charles O'Neil, William Warren, and James Stevenſon Eſquires, The Reverend John Forteſcue, Samuel Cloſe, and William Brabazon Eſquires, George Gordon, and James Moore Gentlemen, Thomas Tipping, and Hugh Montgomery Eſquires, Robert Waddle Gentleman, Malcolm M'Neille Eſquire, James Read Gentleman, Roſs Moore, and Robert Scott Eſquires, John Scott, James Carlile, Edward Corry, John Hutchinſon, Robert M'Cor-

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mick, and John Pollock, Gentlemen, Thomas Morres Jones, and James Smyth, Eſquires, Iſaac Corry, Samuel M'Geough, and James Pollock, Gentlemen, The Reverend Archdeacon Houſe, Robert Carlile Equire, Robert Thompſon Gentleman, William Blacker, Michael Obins, Iſrael Younghuſband, Meredyth Workman, and William Scott Eſquires, William Ogle, John Ogle, James Davis, and Lancelot Watſon Gentlemen, Faithful Forteſcue, and Ephraim Stannus, Eſquires, David Carliſle, and Robert Rainey, Gentlemen, The Reverend Thomas Woolſey, George Ogle, and John M'Neal Gentlemen, Robert Sibthorpe, and John Page Eſquires, and Benjamin Thompſon Gentleman, together with the Juſtices of the Peace of the ſeveral Counties of Lowth, Armagh, and Downe, for the Time being, who are hereby nominated and appointed Truſtees of the ſaid Roads, and the Survivors of them, they, or any five or more of them, or ſuch Perſon or Perſons as they or any five or more of them ſhall authorize and appoint, ſhall and may erect, or cauſe to be erected, one or more Gate or Gates, Turnpike or Turnpikes, in, upon, or croſs any Part or Parts of the ſaid Highways and Roads, and alſo a Toll-Houſe or Toll-Houſes, and there ſhall demand, receive, and take the Tolls and Duties

Duties following, before any Horſe, Mare, Gelding, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, or other Carriage ſhall be permitted to paſs through the ſame, viz. for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by ſix Horſes or more, the Sum of two Shillings and ſix Pence; for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by four Horſes, the Sum of one Shilling and ſix Pence; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by two Horſes, one Shilling; for every Waggon, Wain, Cart, or Carriage, with four Wheels, the Breadth thereof being nine Inches at the Sole, and the Streaks thereof ſet on with flat or roſe-headed Nails, drawn by three or more Horſes, four Pence; for every Waggon, Wain, Cart, or Carriage, with two Wheels, the Breadth thereof being nine Inches at the Sole, and the Streaks thereof ſet on with flat or roſe-headed Nails, two Pence; for every Waggon, Wain, or Cart, with four Wheels, narrower than nine Inches, ten Shillings; for every Waggon, or Wain, with two Wheels, narrower than Nine Inches, having two or more Horſes, five Shillings; for every Carr, or Cart, having

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but one Horſe, Mare, or Gelding, the Breadth of the Wheels thereof being three Inches at the Sole, and the Streaks thereof ſet on with flat or roſe-headed Nails, one Penny half-penny, for every Cart, or Cart, with Wheels narrower than three Inches, at each and every Turnpike-Gate in this Kingdom, one Shilling; for every Carriage commonly called a Chair or Chaiſe, with one Horſe, Mare or Gelding, ſix Pence, for every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, one Penny, except Horſes, Mares, Geldings, Mules, or Aſſes, laden with Turf and not drawing, and for every Horſe, Mare, Gelding, Mule, or Aſs, laden with Turf only, and not drawing, one half-penny for every Drove of Oxen or neat Cattle, the Sum of one Shilling and eight Pence by the Score, and ſo in Proportion for any greater or leſſer Number, for every Drove of Calves, Hoggs, Sheep, or Lambs, the Sum of ten Pence by the Score, and ſo in Proportion for any greater or leſſer Number, and for every Horſe, Mare, Gelding, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, Carr, or other Carriage, travelling on Sundays, from Sun-riſe to Sun-ſet, double the

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the aforesaid Tolls, which said respective Sum and Sums of Money, shall be demanded and taken in the Name of or as a Toll or Duty, and the Money, so to be raised as aforesaid, is and shall hereby be vested in the said Trustees, and the same and every Part thereof shall be paid, applied, disposed of, and assigned to and for the several Uses, Intents and Purposes, and in such Manner as is herein after mentioned and directed; and the said Trustees, or any five or more of them, are hereby impowered by themselves, or any Person or Persons by them, or any five or more of them, under their Hands and Seals thereunto authorized, to levy the Toll or Duty hereby required to be paid, upon any Person or Persons, who shall after demand made thereof, neglect or refuse to pay the same, by Distress of any Horse or Horses, or other Cattle or Goods, upon which such Toll, or Duty, is by this Act imposed, or upon any other of the Goods and Chattles of such Person and Persons, who ought to pay the same, and may detain and keep the same, until such Toll or Duty with the reasonable Charge of such distraining or keeping shall be paid; and it shall be lawful to and for such Person or Persons so distraining, after the

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Space of four Days after such Distress made and taken, to sell the Goods so distrained, returning the overplus (if any be) upon demand to the Owner thereof, after such Toll, Duty, and reasonable Charges for destraing and keeping the same, shall be deducted and paid.

And be it further Enacted by the Authority aforesaid, that out of the first Money arising from the Profits of the several Turnpikes to be erected, the said Trustees, or any five or more of them, shall first pay and discharge the Expence of procuring this Act of Parliament, and of erecting such Turnpike or Turnpikes, or building such Toll-house or Toll-houses, and from and after such Charges and Expences shall be fully satisfied and paid, that then and from thenceforth the Profits arising, and the Toll to be collected, at any Turnpike or Turnpikes to be erected or set up on the said Road leading from the Town of Dundalk in the County of Lowth, to Bann-Bridge in the County of Down, shall be applied for the payment of the Debts now due, and the Interest thereon, and towards the Amending and Repairing of the said Road only, and not elsewhere.

And

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And be it further Enacted by the Authority aforesaid, That the said Road so leading from Dundalk to Bann-Bridge aforesaid, shall be divided into two Parts, and that so much of the said Road as lies between the said Town of Dundalk and the Town of Newry, shall hereafter be distinguished and known by the Name of the Southern Division of the said Road, and so much thereof as lies between the said Town of Newry and Bann-bridge, shall hereaftet be distinguished and known by the Name of the Northern Division of the said Road.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, owning, renting, or occupying any Land near unto any Turnpike to be erected in pursuance of this Act, shall for gain, reward, or otherwise permit any Person or Persons whatsoever to pass through any Gate, Passage, or Way, with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, Carr, or other Carriage, or riding, or driving any Horse, Ass, or Mule, or any sort of Cattle, to avoid the Payment of the Toll hereby appointed to be paid, and being

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thereof convicted upon Oath before the said Truſtees, or any five or more of them, or before any one or more Juſtice or Juſtices of the Peace for the County wherein ſuch Offence or Offences ſhall be committed, who are hereby impowered and required to adminiſter ſuch Oath, ſhall forfeit and pay to the Truſtees authorized to put this Act in Execution, the Sum of ten Shillings, to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the ſaid Truſtees, or any five or more of them, or ſuch Juſtice or Juſtices rendering the Overplus to the Owner, if any be, the Charges in taking and diſpoſing of the ſaid Goods being firſt deducted.

And be it further Enacted by the Authority aforeſaid, that it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, to erect one or more Gates, Turnpike or Turnpikes, on the ſide of the ſaid Highways or Roads croſs any Lane or Way leading out of the ſaid Road, and Toll-Houſe or Toll-houſes, and there to receive and take ſuch Toll as is appointed by this Act to be taken, ſo as the ſame do not extend to

to a double Charge, in Case of passing through any other of the Turnpikes to be erected by virtue of this Act, from the said Town of Dundalk to the Town of Newry: Provided always, that no Gate or Turnpike be erected or placed upon the said Road, nearer to the said Town of Dundalk than one Mile and an half. CHAP. XXXI.

And be it Enacted by the Authority aforesaid, That the said Trustees, or any fifteen or more of them, at their first Meeting or any succeeding Meeting by Writing under their Hands and Seals, shall and may elect, nominate, and appoint, one or more fit Person or Persons to be Treasurer or Treasurers, Collector or Collectors of such Money, in the Name of such Toll or Duty as shall be due and payable by virtue of this Act, and also one or more fit Person or Persons, to be Surveyor or Surveyors to see the Condition of the said Highway or Road, and to see that the same be repaired and amended, and that the Money arising and expended by virtue of this Act be duly applied; and from Time to Time to remove such Treasurers, Collectors, and Surveyors, or any or either of them, as they shall see Occasion, and appoint new

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ones in Case of Death or of such Removal, and such Person or Persons as is or are by this Act liable to pay the said Toll or Duty, is and are hereby required to pay the same after the Rates aforesaid to the said Treasurer or Treasurers, Collector or Collectors, of the said Toll or Duty in that behalf from Time to Time appointed as aforesaid for receiving the said Toll or Duty; and such Surveyor or Surveyors as aforesaid, shall upon Oath, if thereto required by the Trustees, or any five or more of them, or before one or more Justice or Justices of the Peace, residing near the Highway or Road aforesaid, which Oath such Trustees, or any three or more of them, or such Justice or Justices, is and are hereby impowered and required to administer on the first Tuesday in every Month, or oftner if required, during the Continuance of this Act, give in a true, exact, and perfect Account in Writing, under their respective Hands, of all Monies which he and they, and every or any of them shall to such Time have received, paid, and disbursed by virtue of this Act, by Reason of their respective Offices, for which Oath no Fee or Reward shall be taken; and in Case any Money so received shall remain in their or any of

their

their Hands, the same shall be paid to the said Trustees, or any five or more of them, or to such Person or Persons as the said Trustees, or any five or more of them (as they are qualified to act) shall by any Writing or Writings under their Hands and Seals authorize and impower to receive the same, which shall be disbursed and laid out in amending the said Highways or Roads, according to the true Intent and Meaning of this Act, and not otherwise; and the said Trustees, or any five or more of them, to whom such Account shall be given, shall and may out of the Money arising by the Toll or Duty, make such Allowance unto the said Treasurer or Treasurers, Collector or Collectors, Surveyor or Surveyors, for and in Consideration of his and their Care and Pains respectively taken in the Execution of his and their Office and Offices, and to such other Person or Persons who have been, or shall be assisting in and about procuring the said Highways and Roads to be amended and repaired, by advancing or laying out any Money, or otherwise relating thereunto, as to them shall seem good, so as such Allowance or Allowances to such Treasurer or Treasurers, do not annually exceed in the whole the Sum of thirty

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Pounds, and to such Surveyor or Surveyors, the Sum of two Shillings by the Day, during such Time or Times as he and they shall be respectively employed in the Repair of the said Roads, and so as such Allowance or Allowances to any other Person or Persons, who shall be employed by virtue of this Act, does not exceed the Sum of fifteen Pounds yearly to each Person, and in Case the said Treasurer or Treasurers, Collector or Collectors of the aforesaid Toll or Duty, or any of them, shall not make such Account and Payment unto such Person or Persons, according to the Orders and Directions of the said Trustees, or any five or more of them as aforesaid, that then the said Justices of the Peace, at any special Sessions or Meeting of them, to be holden for the County in which the said Treasurer or Treasurers, Collector or Collectors have acted or been employed, and made such Default as aforesaid, shall and are hereby required and impowered to make enquiry, and finally to determine of, and concerning such Default, as well by Confession or Examination upon Oath of the said parties themselves, as by the Testimony of one or more credible Witness or Witnesses upon Oath, which Oath

Oath they are hereby impowered and required to administer without Fee or Reward, and if any Person or Persons shall be convicted thereof by such Justices, the said Justices shall upon such Conviction commit the Party or Parties to the common Goal of the County, where such Offences shall be committed, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment as aforesaid.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor and Surveyors, and such Person or Persons as he or they shall appoint, to dig, raise, gather, take, and carry away any Gravel, Furze, Sand, Stones, or other Materials, out of the several Grounds of any Person or Persons, not being an Orchard, Yard, planted Walk or Walks, or Avenue to an House, where any such Materials are or may be found, and from Time to Time to carry away such and so much thereof, as the said Surveyor or Surveyors in their respective Places shall adjudge necessary for the repairing and amending the said Highways and Roads,

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paying such Rates for such Materials to the Owner or Occupier of the Ground from whence the same shall be digged, raised, gathered, and carried away, as the Trustees appointed or to be appointed to put this Act in Execution shall adjudge reasonable, and in Case of any Difference between such Owner or Occupier, and the said Trustees touching the Damage aforesaid, the Judges of Assize at the next General Assizes and general Goal delivery to be holden in the County where such Materials shall be digged, raised, or gathered, and from whence the same shall be carried away, may and shall adjudge, assess, and finally determine the same.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors, and such Person and Persons as he or they shall appoint from Time to Time, to remove and prevent Annoyances on any part of the said Highways or Roads hereby intended to be repaired by Filth, Dung, Ashes, Rubbish, Water-courses, Sinks, or Drains, running into the said Highways or Roads, and to Cleanse any Ditch or Water-courses, adjoining to the said Roads, and to cut down, lop, or top,

top, any Trees, or Bushes, growing in the said Highways, or in Hedges, or Banks adjacent to the said Highways, and to take and carry away the same, the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such Annoyances for the Space of ten Days after Notice in Writing given for that Purpose under the Hands of five of the said Trustees, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers neglecting to cut down the said Trees or Bushes, or to remove such other Annoyances as aforesaid, and if after removal of any such Annoyances as aforesaid, any Person or Persons shall again offend in like kind, every such Person or Persons so offending, and being thereof convicted upon Oath before one or more Justice or Justices of the Peace, for the County where such Offence shall be committed, shall for every such Offence forfeit and pay unto the said Trustees ten Shillings, to be levied in Manner aforesaid.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Sur-

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beyors, by Order of the said Trustees, or any five or more of them, to make or cause to be made Causeways, and to cut and make Drains through any Grounds lying contiguous to the said Roads, and to erect Arches of Brick, Timber, or Stone thereupon, and also to widen any of the narrow Parts of the said Highways or Roads, to the Breadth of Forty two Feet in the clear, by opening, clearing, and laying into the said Highways or Roads, any Ground of any Person or Persons lying contiguous to such Highways or Roads, not being an Orchard, Yard, planted Walk, or Avenue to an House, and also to cause Ditches or Trenches to be made in such Places, and in such Manner, as such Surveyor or Surveyors by Order of the said Trustees, or any five or more of them, shall adjudge necessary for the better amending and keeping of the said Highways or Roads in good Repair, making such reasonable Satisfaction to the Owner or Occupier of such Ground, which shall be so laid in or unto the said Highways or Roads, through which any such Drain or Drains shall be cut, or on which any such Arch or Arches shall be made, for the Damages which he or

or they shall or may thereby sustain, as shall be assessed and judged by the next going Judge or Judges of Assize, or by the Justices of the Peace, or the major Part of them, at the next General Assizes or Quarter Sessions to be holden for the County in which such Ground shall be laid into the said Highways or Roads, and through which any such Drain or Drains, Ditch or Diches, shall be cut or made, or on which such Arch or Arches shall be erected or made, or Causeways made, in Case of any Difference concerning the same, and if any Owner or Occupier of any Water-courses, Ditch, or Ditches, adjoining to the said Highways or Roads, shall neglect or refuse to scour or clean such Water-courses, and to make such Ditches so deep, and in such Manner as the Surveyor or Surveyors shall adjudge proper and convenient, after eight Days Notice shall be given for that Purpose by such Surveyor or Surveyors, to be appointed by him or them to such Owner or Owners, it shall and may be lawful, to and for the Surveyor or Surveyors to set any Man or Men to work, to scour, or cleanse, and make the same, and by Warrant from any five or more of the said Trustees to levy the

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Charge thereof upon the Persons Goods, or Estate of the Owner or Owners, Occupier or Occupiers of such Water-courses, Ditch or Ditches, by Distress and Sale of his, her, and their Goods and Chattles, rendering the Overplus (if any be) to the said Owner or Occupier, after all Charges paid.

And whereas the said Highway or Road, leading from the said Town of Dundalk through the Towns of Newry and Loughbrickland, to Bannbridge, may be considerably shortened or made much more convenient for Travellers, if the same were carried straight, or in a more convenient Line, to avoid steep Hills, where the same is now crooked or hilly: For Remedy whereof, and that all just and reasonable Satisfaction may be given for the Land made use of in making the said Road; Be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to, and for the said Trustees, or any fifteen or more of them, to ascertain, describe, and set apart such a Part and Proportion of the Land adjoining or contiguous to the said Highway or Road, not being an Orchard, Yard, planted Walk, or Walks, or Avenue to a House, as they the said Trustees

Trustees, or any fifteen or more of them shall judge necessary for carrying the same straight, or in a more convenient Line, and the said Trustees, or any fifteen or more of them are hereby further authorized and impowered to treat and agree with the Owners and others interested in the said Ground to be made use of in altering and making the said Roads as aforesaid, for such Recompence and Satisfaction to be made for the same, out of the Tolls and Duties arising by Virtue of this Act, as the said Trustees, or any fifteen or more of them shall think fit and reasonable; and in case any Person or Persons shall neglect or refuse to treat and agree as aforesaid, or through any Disability by Nonage, Coverture, or special Limitation, in any Settlement or Settlements or by Reason of any other Impediment, cannot, or otherwise howsoever refuse to dispose of their respective Interests, in such Land as the said Trustees, or any fifteen or more of them, shall think fit, for the shortening or making more convenient the said Road; in every such Case the said Trustees, or any fifteen or more of them, are hereby authorized and impowered to issue forth their Warrant or Warrants to the Sheriff or Sheriffs of the County wherein such

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Ground doth lye, to impannel and return before the said Trustees, or any fifteen or more of them, at such Time and Place, within the said County, as shall be appointed, in such Warrant or Warrants, a sufficient Jury, who upon their Oaths, which Oath the said Trustees, or any five or more of them, are hereby impowered and required to administer, shall enquire into the true and real Value of such Ground to be made use of for the said Highway or Road, and such Verdicts or Inquisitions, as shall be so found and returned by the said Jury, ascertaining the Value of such Ground, shall be final and conclusive, as well to the said Trustees, as to the several and respective Owners, and Proprietors of such Ground, notwithstanding any Disability or Incapacity whatsoever.

And for as much as the Monies so to be collected by such Receipt of the said Toll will not at present be sufficient for the speedy Amending and Repairing of the said Highways or Roads, and for paying the Sums now due on the said Road: Be it further Enacted by the Authority aforesaid, That the said Trustees, or any fifteen or more of them, shall, and may,

and

and are hereby impowered from Time to Time, by Writing under their respective Hands and Seals, to assign over the said separate Toll or Duty hereby granted, or any part thereof, the Costs and Charges whereof to be born and paid out of such separate Toll or Duty, for any Term or Time, during the Continuance of this Act, as a Security for the Sums of Money now due, or for any Sum or Sums of Money by them to be borrowed for that Purpose, to such Person or Persons, or their Trustees, who shall advance and lend the same, to secure the Repayment thereof with lawful Interest, or less if the same can be so had, which said Money borrowed shall be applied and disposed of, as the Toll or Duty is by this Act to be applied and disposed of, and to no other Use or Purpose whatsoever. CHAP. XXXI.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any fifteen or more of them, from Time to Time, during the Continuance of this present Act, to make out Warrants or Orders in Writing under their Hands, directed to the Treasurer of the said Tolls, thereby requiring him to pay thereout to

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the Perſon or Perſons named in ſuch Warrant or Order, their Executors, Adminiſtrators, and Aſſigns, the growing Intereſt of the Sum of Money mentioned in ſuch Warrant or Order, as the ſame ſhall from Time to Time become due, until ſuch Time as the Principal Sum mentioned in ſuch Warrant or Order ſhall be paid off and diſcharged; Provided that no Warrant or Order, to be iſſued to the ſaid Treaſurer by Virtue of this Act, ſhall be for any greater Sum than One hundred Pounds.

And be it further Enacted by the Authority aforeſaid, That all and every Perſon and Perſons, to whom ſuch Warrants or Orders ſhall be given, his, her, or their Executors or Adminiſtrators, may by Indorſements, on ſuch Orders or Receipts, transfer the Right and Benefit of the Sum mentioned in ſuch Warrants or Orders, which Indorſements upon Notice to the Treaſurer of the ſaid Tolls, and Entry or Memorial thereof, made in a Book, to be kept for that Purpoſe, which the ſaid Treaſurer ſhall upon Requeſt, without Charge, Fee, or Reward make accordingly, and ſhall on Requeſt permit the ſame to be viewed at Reaſonable

Hours,

Hours, without Fee or Reward, shall intitle the Indorsee, or Assignee, his, or her Executors, Administrators, or Assigns, to the sole Benefit of the Sum transferred or assigned, and that the said Warrant or Order may in like Manner be assigned or transferred by such Assignee, his and her Executors, or Administrators, and so toties quoties, and that after such Assignment it shall not be in the Power of the Person or Persons who made such Assignment to make void, release, or discharge the said Assignment, or the Sum thereby transferred or assigned, or any Part thereof.

And be it further Enacted by the Authority aforesaid, That the Treasurer of the said Tolls, shall Arithmetically Number all the Warrants or Orders which shall be given or delivered out in pursuance of this Act, as they shall be delivered out, commencing by Number One, and so continuing the Numbers till the whole be Arithmetically numbered.

And be it further Enacted by the Authority aforesaid, that the several Tolls and Duties hereby made payable, shall be applied and paid to the Discharge of the Interest of the Money now due, and of

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such Money as shall be borrowed in Pursuance of this Act, and towards the Repairing the said Roads, and that all the Surplus of the said Tolls and Duties hereby made payable, over and above what shall be sufficient to discharge the said Interest, and repair the said Roads, shall be applied in discharge of the principal Money next due, or that shall be so borrowed, in the Manner hereafter mentioned, (viz.) that when, and as often as such Surplus received by the said Treasurer shall amount to the Sum of Two hundred Pounds, that then the said Treasurer shall cause the Number of all the Warrants or Orders, which have been issued, or shall be issued and delivered out, in Pursuance of this Act, and the Sum therein contained, to be written on several Tickets or Pieces of Parchment, and to be rolled and sealed up and put into a Box or Urn, and well mixed together, and an indifferent Person shall publickly between the Hours of ten and twelve o'Clock in the Forenoon, of a Day to be by the said Treasurer publickly advertised in the Dublin Gazette, for that Purpose, at least twenty Days before at the said Town of Newry, draw out of the said Box or Urn, as many of the said Tickets

Tickets or Pieces of Parchment as the Sums therein contained shall amount to the said Sum of Two hundred Pounds, and the Person or Persons the Number of whose Warrants or Orders shall be so drawn, his or their Executors, Administrators or Assigns, shall within twenty Days after the said Warrants or Orders shall be drawn, be paid by the said Treasurer, the principal Sums to him or them respectively due, with the Interest for the same 'till paid, and shall upon Payment thereof deliver up his and their several and respective Warrants or Orders to the said Treasurer to be cancelled, which he is thereby required to cancel accordingly, and the Interest payable by Virtue of such Warrants or Orders shall cease from the Expiration of twenty Days, to be accounted from the Day of drawing the said Tickets or Pieces of Parchment.

Provided allways, That in Case there shall be more than one Gate or Turnpike across or on the side of the said Highway or Road, between the said Towns of Dundalk and Newry, no Person or Persons having paid the said Toll or Duty at the first Gate or Turnpike, through which such Person or Persons

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shall pass, and producing a Note or Ticket, that the said Toll or Duty was paid, which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby required to give gratis, shall be liable to pay any Toll or Duty at any other of the said Gates or Turnpikes, upon the said Highway or Road between Dundalk and Newry, such Person or Persons delivering the said Note or Ticket to the said Receiver or Receivers, Collector or Collectors, of the said Toll or Duty, at the latter Gate or Turnpike between Dundalk and Newry the same Day, and no Person or Persons having occasion to pass the Place or Places where the Toll or Duty is taken, and who shall return the same Day upon or with the same Horse, Mare, or Gelding, Ass, Mule, Cattle, Coach, Chariot, Berlin, Chaise, Chair, Calash, Waggon, Cart, Carr, or other Carriage, except Carts and Carrs, with Wheels narrower than three Inches, shall be liable or compellable the same Day to pay the said Toll or Duty more than once on the same Road; and also, that no Person or Persons having paid the said Toll or Duty at the first Gate or Turnpike, through which such Person or Persons shall pass between Newry and Bann-

Bridge,

Bridge, and producing such Note or Ticket as aforesaid, shall be liable to pay any Toll or Duty at any other of the said Gates or Turnpikes upon the said Highway or Road between Newry and Bann-Bridge, such Person or Persons delivering the said Note or Ticket to the Receiver or Receivers, Collector or Collectors of the said Toll or Duty at the latter Gate or Turnpike between Newry and Bann-Bridge the same Day, but it is the true Intent and Meaning of this Act, that every Person shall pay twice on the same Day in Case he shall travel over more of the said Road than is contained in one Division of the same.

And for preventing Frauds and Abuses in the said Toll or Duty, be it further Enacted by the Authority aforesaid, That if any Person or Persons having paid the Toll or Duty by this Act granted and made payable, and having such Note or Ticket, Notes or Tickets, as hereby directed, shall give or dispose of the same to any Person or Persons, in order to avoid the Payment of the said Toll or Duty, every such Person giving, disposing, or offering, and the Person receiving such Note or Ticket, Notes or Tickets, and be-

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ing thereof convicted upon Oath before the said Trustees, or any five or more of them, or before any one or more Justice, or Justices of the Peace, for the County wherein such Offence or Offences shall be committed, which Oath the said Trustees, and the said Justice or Justices, are hereby impowered to administer, shall respectively forfeit and pay the Sum of ten Shillings, to be levied, recovered, and disposed of, as any other Penalty or Forfeiture is directed to be levied, recovered, and disposed of by this Act.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any five of them, may and are hereby impowered from Time to Time, as they shall see convenient or think fit, to compound or agree by the Year, or otherwise, with any Person or Persons using to travel through the Turnpike or Turnpikes, to be erected, with any Milch Cows, Horse, Mare, or Gelding, Ass, or Mule, or with any Coach, Berlin, Calash, Chaise, Chair, Waggon, Cart, Carr, or other Carriage, for any Sum or Sums of Money, to be paid quarterly, from Time to Time, after such Agreement shall be made.

Provided

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Provided also, and it is hereby declared, That no Person shall be charged with any of the Tolls or Duties aforesaid, who shall pass through any of the Turnpikes to be erected by this Act, who shall carry any Quantity of Stones, Gravel, or other Materials for Repairing the said Roads, or any of the Roads in the Parishes wherein the same do lie, or in any of the neighbouring Parishes, nor shall any Person or Persons be chargeable with the said Toll or Duty, for any Carts, Carrs, or Waggons, loaded with Corn in the Straw only, nor for any Ploughs, Harrows, or other Implements of Husbandry, in order to the using or repairing of the same, in the several Parishes in which the said Highways or Roads hereby intended to be repaired do lye, nor shall any Toll or Duty be demanded or taken, at any of the Turnpikes to be erected, for any Horse, Mare, Gelding, Ass, or Mule, or other Cattle going to Water, or for any Post-horse, carrying the Mail or Packet, or of such Horse as is or shall be used only to ride on by the Owner or Driver of the Waggon, Cart, or Carriage; provided such horse pass through the said Turnpike or Turnpikes with such Waggon,

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Cart, or Carriage, nor shall any Toll or Duty be demanded or taken for the Horses of Soldiers passing, that are upon their March, or for Waggons, Carts, Carrs, or other Carriages attending them, or for Horses, Waggons, Carts, Carrs, or other Carriages travelling with Vagrants sent by passes, or with Prisoners transmitted from one Part of the Kingdom to another.

And be it further Enacted by the Authority aforesaid, That the Toll or Duty hereby granted, shall take Place and have Continuance from and after the first Day of May in the Year of Our Lord One thousand seven hundred and sixty four, for and during the Term of Forty one Years.

Provided nevertheless, that if at any Time before the Expiration of the said Term of Forty-one Years all Parts of the said Roads shall be sufficiently amended and repaired, and so adjudged by the Majority of the said Trustees appointed, or hereafter to be chosen, by virtue of this Act, then, upon and after such Adjudication made and Re-payment of such Money, as shall have been advanced and borrowed with Interest for the same, and the Costs

and

and Charges thereof, the Tolls and Duties shall cease and determine; any thing herein contained to the contrary notwithstanding. CHAP. XXXI.

And be it further Enacted by the Authority aforesaid, that for the continuing a sufficient Number of fit and able Persons to be Trustees for putting in Execution all and every the Powers in this Act contained, for and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any fifteen or more of them, upon the Death of any of the said Trustees, herein appointed by Name, or upon their or any of their Removal or refusing to act in the said Trust, by any Writing or Writings under their Hands and Seals, from Time to Time, and at all Times hereafter, during the Term aforesaid, to elect, nominate, and appoint in the Room of such Trustee or Trustees so deceased, removed, or refusing to act, so many more fit and able Person or Persons living in the said Counties of Lowth, Armagh, or Down, to be joined with the said Trustees, in the Execution of all and every of the Power and Powers in them reposed by Virtue of this Act, and all and every Person and Persons so to be chosen

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Truſtee or Truſtees, to join in putting this Act in Execution, as they are herein before qualified to do, ſhall, and may, and are hereby impowered to act, to all Intents and Purpoſes, in as full, large, and ample Manner, as the ſaid Truſtees are by this Act impowered to do, and ſo toties quoties, as often as occaſion ſhall re-quire.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any fifteen or more of them, ſhall meet at the ſaid Town of Newry, on the ſecond Day of June next, and the ſaid Truſtees, then ſhall adjourn themſelves and afterwards meet at any other Place or Places, near the ſaid Highway or Road to be repaired, that the ſaid Truſtees, or any five or more of them ſhall think proper and convenient, as often as it ſhall be neceſſary for the Putting this Act in Execution, except in ſuch Caſes where a greater Number is expreſly required by this Act, and that the ſaid Truſtees, or any five or more of them, ſhall meet at the ſaid Town of Newry, on the firſt Monday in the Month of April, the firſt Monday in the Month of May, and the firſt Monday in the Month of June, in every Year, during the Term afore-

aforesaid, for the granting Money to amend and repair the said Roads, and for the doing any other necessary Business, and that no Money shall be granted at any Board for amending or repairing the said Road, unless it shall appear by the Affidavit of two credible Persons, that such Sum is necessary to repair or make so many Perches at the Rate of so much by the Perch, and that a smaller Sum will not be sufficient to Repair the same, and no Money shall be paid by the Treasurer to any Overseer, unless the said Overseer maketh Oath before some Justice of the Peace, or before a Board of the said Trustees, that the said Sum hath been faithfully and honestly expended in amending or repairing so many Perches of the said Road, and for his Wages being so much by the Day, and that he did attend the said Work diligently and carefully, and shall produce to the said Justice, or to the said Board an exact Account of the Number of Men, Horses, and Carts, employed each Day at the said Work, and shall swear to the Truth of the said Account, and then, and not before, the said Justice, or the said Board, shall give an Order to such Overseer on the Treasurer for the payment of the

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Amount of the ſaid Account, and if it ſhall happen that there ſhall not appear at any Meeting which ſhall be appointed to be had and held by the ſaid Truſtees, a ſufficient Number of Truſtees to act at ſuch Meeting, and to adjourn to any other Day, then, and in ſuch Caſe, the Clerk to the ſaid Truſtees, by Notice in Writing to be affixed at their reſpective Gates or Turnpikes, at leaſt twenty Days before the next Meeting, ſhall appoint the ſaid Truſtees to meet at the Houſe where the Meeting of the ſaid Truſtees was laſt appointed to be had, or at ſome other convenient Houſe near the ſaid Roads: And that the ſaid Truſtees at their firſt Meeting, and at other ſubſequent Meetings ſhall defray their own Charges and Expences.

Provided allways, and be it further Enacted by the Authority aforeſaid, That no Perſon or Perſons appointed by this Act a Truſtee or Truſtees for putting this Act in Execution, ſhall have, or accept of any Place of Profit ariſing out of, or by Reaſon of the Toll or Duty by this Act laid or granted, but ſuch Perſon or Perſons ſhall be incapable, from the Time of accepting and continuing to enjoy ſuch Place of Profit, of acting as a Truſtee.

And

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And be it further Enacted by the Authority aforesaid, That if any Suit shall be commenced against any Person or Persons, for any thing done in Pursuance of this Act, that in every such Case the Action shall be laid in the said Counties of Lowth, Armagh, or Down, or one of them, and not elsewhere, and the Defendant or Defendants in such Action or Actions to be brought, may plead the general Issue, and give this Act and the special Matter in Evidence at any Tryal to be had thereupon, and that the same was done in Pursuance and by the Authority of this Act; and if it shall appear so to be done, or that such Action or Actions shall be brought in any other County, that then the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff shall be non-suited or discontinue his Action after the Defendant or Defendants shall have appeared, or if on any Demurrer; Judgment shall be given against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

CHAP. XXXI.

And be it further Enacted by the Authority aforesaid, That this Act shall be deemed, adjuged, and taken to be a publick Act, and be judicially taken notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

AN

CHAP. XXXII.

AN

ACT

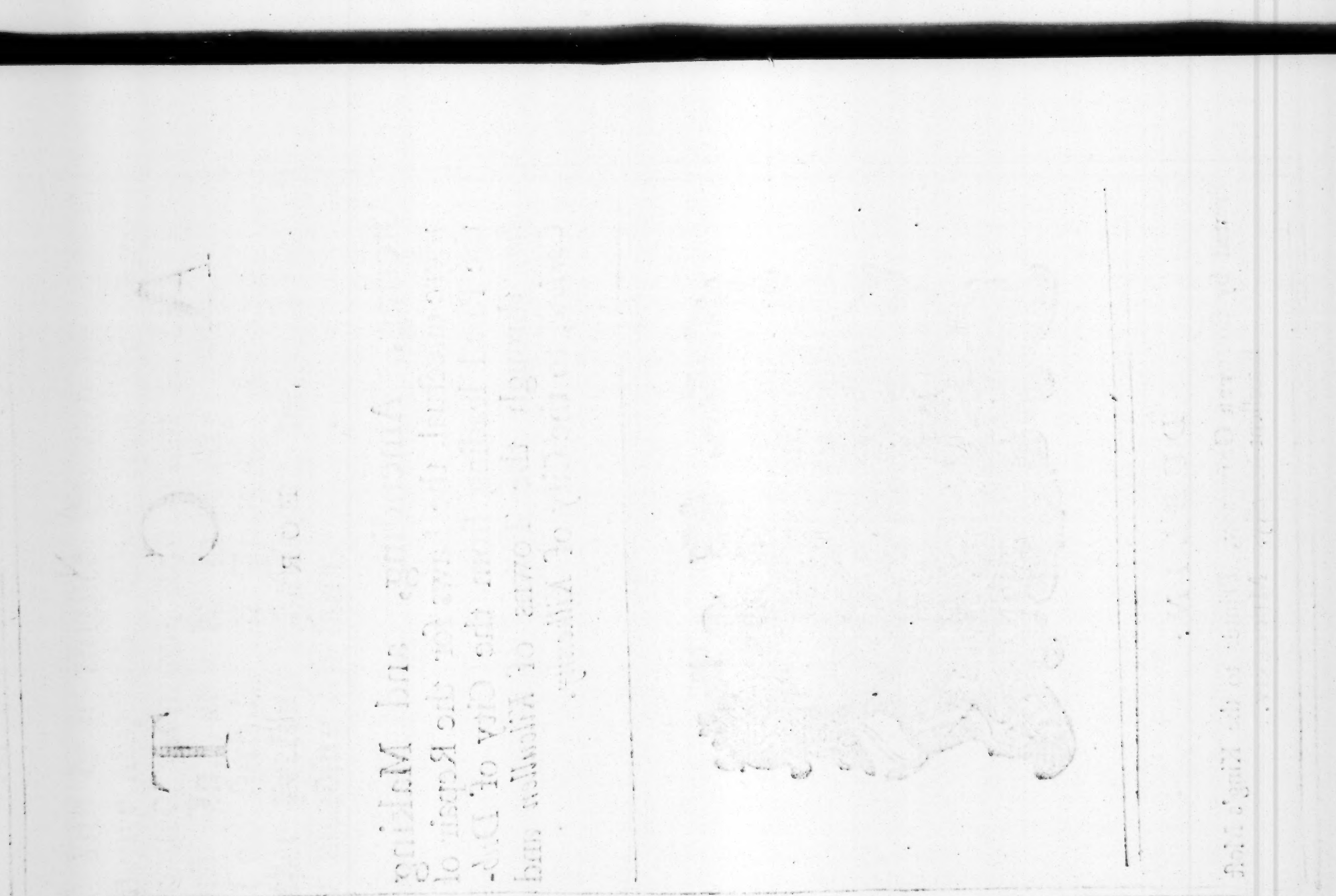
FOR

Altering, Amending, and Making more effectual, the Laws for the Repair of the Road leading from the City of *Dublin*, through the Towns of *Kilcullen* and *Carlow*, to the City of *Kilkenny*.



DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Most Excellent Majesty. MDCCLXIV.



A N

A C T

FOR

Altering, Amending, and Making more Effectual, the Laws for the Repair of the Road leading from the City of *Dublin*, through the Towns of *Kilcullen* and *Carlow*, to the City of *Kilkenny*.

CHAP. XXXII.

WHEREAS an Act passed in the Third Year of the Reign of His Late Majesty King George the Second, intituled, An Act for repairing the Road leading from the City of *Dublin* to *Kilcullen-Bridge* in the CHAP. XXXII.

CHAP. XXXII.

County of *Kildare*: And another Act passed in the Seventh Year of His said Majesty's Reign, intituled, An Act for making more effectual the said Act, passed in the Third Year of His said Majesty's Reign, and for repairing the Road leading from *Kilcullen-Bridge* to the Town of *Kilcullen* in the said County of *Kildare*: And also one other Act passed in the Fifth Year of His late Majesty's Reign, intituled, An Act for repairing the Road leading from the Town of *Kilcullen* in the County of *Kildare*, to the City of *Kilkenny*: And a further Act passed in the Ninth Year of the Reign of His said late Majesty, intituled, An Act to explain, amend, and make more effectual the said Act passed in the Fifth Year of His said Majesty's Reign: And whereas it is found by Experience, that the Tolls and Duties heretofore granted, and made payable, by the said several Acts of Parliament, passed for repairing the Road, leading from the City of Dublin, through the Towns of Kilcullen and Carlow to the City of Kilkenny, have not been sufficient to pay the Interest of the Debts contracted for making the said Roads, and also to keep the same in sufficient Order and Repair; and that notwithstanding the same, the said Road is now in a ruinous Condition, and the said Acts have not effectually answered the purposes

poſes intended thereby; and it is found expedient to make the ſeveral Proviſions herein-after mentioned for the more effectually amending and repairing ſaid Road, and keeping the ſame in good Order and Repair, and for the ſecuring the Debts now due, or which ſhall hereafter become due, to the honeſt and fair Creditors of the ſaid Road: Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the firſt Day of May, in the Year of Our Lord One thouſand ſeven hundred and ſixty four, the ſeveral Truſtees named and appointed in and under the ſaid former Acts, except as herein-after mentioned, and the Truſtees herein-after named and appointed, or any Seven or more of them, in their and each of their reſpective Diviſions, or ſuch Perſon or Perſons as ſhall be by them, or any Seven or more of them, reſpectively authorized or appointed, ſhall and may from the Time aforeſaid, for and during the Continuance of the ſaid former Acts and this preſent Act, demand, take, and receive reſpectively in lieu of the Tolls and Duties to be collected by Virtue of the ſaid former

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Acts, the reſpective Tolls and Duties following; and the ſaid ſeveral and reſpective perſons are hereby reſpectively impowered to levy the ſaid Tolls, by this Act charged and appointed to be collected and received: (that is to ſay) the ſaid Truſtees, named and appointed by and under the ſaid former Acts for making and repairing the Road leading from the City of Dublin to the Town of Kilcullen, or any Seven or more of them, or ſuch Perſon or Perſons as ſhall be by them, or any Seven or more of them, authorized or appointed, ſhall receive the Tolls and Duties following, before any Horſe, Mare, Gelding, Als, or Mule, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, Carr, or other Carriage, ſhall be permitted to paſs through the ſame, (viz:) for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by Six Horſes, Geldings, Mares, or Mules, two Shillings; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by four Horſes, Geldings, Mares, or Mules, one Shilling and Sixpence; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by two Horſes, Geldings, Mares, Mules, or Aſſes, nine Pence; for every Waggon, Wain, Cart, or Carriage with four Wheels,

Wheels, five Shillings; for every Wag- CHAP. gon, Wain, Cart, or Carriage with two XXXII. Wheels, drawn by two or more Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, three Shillings; for every Wag- gon, Wain, Cart, or Carriage with two Wheels, drawn by two Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, Six-pence; for every Carriage commonly called a Chair or Chaise, drawn by one Horse, Gelding, Mare, or Mule, Four- pence; for every Cart, Carr, or other Car- riage, having but one Horse, Mare, Geld- ing, Mule, Ass, or Beast of Draft, three half Pence; for every Horse, Mare, Gelding, Mule, Ass, or Beast of Burthen, drawing, laden or unladen, three half Pence; for every Drove of Oxen, Colts, or Neat Cattle, two Shillings and Sixpence by the Score, and so in Proportion for any greater or lesser Number; for every Drove of Calves, Hoggs, Sheep, Goats, or Lambs, one Shilling and three Pence, and so in Proportion for any greater or lesser Num- ber; and for every Carriage, wherein shall be carried or borne any Mill-stone, two Shillings and Six-pence; and that the said Trustees, herein after in this present Act named and appointed for making and re- pairing the Road, leading from the Town

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of Kilcullen to the Town of Carlow, or any Seven or more of them, or such Person or Persons as shall be by any Seven or more of them authorized or appointed, shall receive the Tolls or Duties following, before any Horse, Mare, Ass, Mule, Cattle, Coach, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Carr, or other Carriage, shall be permitted to pass through the same, (viz:) for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by six Horses, Geldings, Mares, or Mules, two Shillings; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by four Geldings, Mares, or Mules, one Shilling and Six-pence; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by two Horses, Mares, Geldings, Asses, or Mules, one Shilling; for every Waggon, Wain, Cart, or Carriage with four Wheels, five Shillings; for every Waggon, Wain, Cart, or Carriage with two Wheels, drawn by three or more Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, three Shillings; for every Waggon, Wain, Cart, or Carriage of two Wheels, drawn by two Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, Six-pence; for every Carriage, commonly called a Chair

or

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or Chaise, drawn by one Horse, Gelding, Mare, or Mule, Six-pence; for every Cart, Carr, or other Carriage, having but one Horse, Mare, Gelding, Mule, Ass, or Beast of Draft, two Pence, except Carrs and other Carriages laden with Turf only, and drawn by one Horse, Gelding, Mare, Mule, Ass, or Beast of Draft, which are hereby excepted from any of the said Tolls; for every Horse, Mare, Gelding, Mule, or Ass, with any Person riding thereon, two Pence; for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing or having any Person riding thereon, three half Pence; for every Drove of Oxen, Colts, or Neat Cattle, two Shillings and Six-pence, and so in Proportion for any greater or lesser Number; for every Drove of Calves, Hoggs, Sheep, Goats, or Lambs, one Shilling and three Pence by the Score, and so in Proportion for any greater or lesser Number; and for every Carriage, whereon shall be carried or borne any Mill-stone, two Shillings and Six-pence; and that the said Trustees, named and appointed under the said former Acts for making and repairing the Road, leading from the Town of Carlow to the City of Kilkenny, or any seven or more of them, or such Person or Persons as shall

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be by them, or any seven or more of them, authorized and appointed, shall receive the same Tolls and Duties, herein before particularly appointed and directed to be paid to the Trustees, named and appointed in this present Act as aforesaid, for making and repairing the Road leading from the Town of Kilcullen to the Town of Carlow, or any seven or more of them, or such Person or Persons as shall be by them, or any seven or more of them, authorized or appointed, before any Horse, Mare, Gelding, Ass, Mule, Cattle, Coach, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Carr, or other Carriage, shall be permitted to pass through the same: Which said respective Sum and Sums of Money shall be demanded and taken respectively in the Name of or as a respective Toll or Tolls; and the Money to be thereby raised and collected, is and shall be respectively vested in the said respective Trustees according to their and each of their respective divisions; and the same and every part thereof shall be applied and disposed of to and for the several Uses, Intents, and Purposes, and in such Manner, as by the said former Acts and this present Act are particularly mentioned and declared

clared with respect to each particular and respective Division. CHAP. XXXII.

And be it further Enacted by the Authority aforesaid, That the Tolls or Duties hereby granted shall take Place from and after the first Day of May next, and have continuance thenceforth for and during the Term of Forty-one Years, and from thence to the End of the then next Session of Parliament, for the Intents and Purposes in this present and said former Acts mentioned.

And whereas the Trustees of said Road leading from Kilcullen to Carlow, not being able to raise Money on the Credit of the said Road, were obliged to contract with John Dillon Esquire, deceased, for the making of the said Road, on very unreasonable and extravagant Rates by the Perch, on Condition the said John Dillon would take Debentures for the same on the said Road, and accordingly the said John Dillon made most of a considerable Part of the same, and had Debentures struck to him, or to Persons for his Use or Benefit, to a very large Amount, and the said Dillon, or those deriving under him, have assigned or otherwise transferred the

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said Debentures to several Persons for Sums of Money, considerably less than the Sums contained in the said Debentures, which they accepted of, knowing that the said Dillon, and those deriving under him, obtained the said Debentures in Manner aforesaid, and notwithstanding the same, the said several Persons now claim to be Creditors on the said Road for the whole Sums contained in the said Debentures, and have received considerable Sums of Money as the Interest of the said Debentures, at the high Rate of six Pounds by the Hundred by the Year: And whereas the said Road is become ruinous, and the Tolls of the same are by no Means sufficient to keep the said Road in Repair, and pay the Interest of so large a Debt, and the following Persons, who are honest and fair Creditors on the said Road, for a considerable Sum of Money, to wit, the Representatives of Samuel Fairbrother, for the Sum of One thousand two hundred and seventeen Pounds, fourteen Shillings and ten pence; William Brown Esquire, for a Sum of One hundred and Twenty-five Pounds, Maurice Keating Esquire, for a Sum of One hundred Pounds, the Representatives of Thomas Ashe Esquire, for a Sum of

fifty

fifty Pounds, Alexander Sparrow for a Sum of Seventy five Pounds, John Cherry for a Sum of Twenty five Pounds, William Ryves Esquire, for a Sum of Twenty five Pounds, and Thomas Walsh, for a Sum of Twenty-five Pounds or those deriving under them, have a great Arrear of Interest due to them on their said Debts, and have not been paid but a very small Matter on Account of the said Interest for several Years past: Be it Enacted by the Authority aforesaid, that the Persons herein after named, and none other, shall be the Trustees for putting this present Act and the said former Acts, passed in the fifth and ninth Years of his late Majesty's Reign, into Execution, with respect to that Part or Division of the said Road, leading from the said Town of Kilcullen to the said Town of Carlow (that is to say) the Marquis of Kildare, Earl of Drogheda, Earl of Milltown, Lord Baltinglass, the Right Honourable John Ponsonby Speaker of the Honourable House of Commons, the Right Honourable Benjamin Burton, Sir Fitzgerald Aylmer Baronet, Sir Kildare Dixon Burrows Baronet, Sir Richard Butler Baronet, Richard Fitzgerald Esquire, Arthur Pomeroy Esquire, Thomas Butler Esquire, William Burton Esquire, Maurice Keating Esquire, Beauchamp Bagnall Esquire,

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John St. Leger Esquire, Thomas Eyre Esquire, Edward Stratford Esquire, John Bourke Esquire, Redmond Morres Esquire, Richard Leving Esquire, Arthur Jones Nevill Esquire, Maurice Keating the younger Esquire, John Burrows Esquire, Henry Bunbury Esquire, Benjamin Bunbury Esquire, George Graydon Esquire, Robert Fish Esquire, Robert Brown of Carlow Esquire, Samuel Yates Esquire, the Reverend Robert Dixon Burrows, Thomas Bunbury Esquire, the Reverend Cadogan Keating, the Reverend John Batty, James Dexter Esquire, Richard Nelson Esquire, Thomas Vincent Esquire, Henry Boyle Carter Esquire, Thomas Ryves Esquire, James M'Roberts Esquire, Walter Bagot Esquire, John Rochfort the younger Esquire, John Bailie Esquire, William Brown the younger Esquire, Thomas Bunbury of Kill Esquire, Abell Wall Esquire, William Vicars Esquire, John Hamilton Esquire, William Stewart Esquire, Edward Wall Esquire, James Hamilton Esquire, William Brereton Esquire, Thomas Duckett Gentleman, John Higgonbotham Gentleman, John Humphry Gentleman, Benjamin Haynes the younger Gentleman, James Welding Gentleman, Jonas Duckett Gentleman, Richard Shackleton Gentleman, Joseph Taylor Gentleman, Benjamin Haughton Gentleman, Ephraim Boak Gentleman, and William Duckett, and William Walters Gentlemen,

Gentlemen, and all his Majesty's Justices of the Peace for the several Counties through which the said Road runs; and the said Trustees herein before named, shall be and are hereby severally and respectively invested with all the Powers and Authorities, in the said former Acts and this present Act given and enacted, with respect to that Part or Division of the said Road from the Town of Kilcullen to Carlow, to all Intents and Purposes in the said Acts mentioned, as if the same Powers and Authorities granted and given by the said Acts, were herein again repealed and enacted in the Body of this present Act; any Thing in the said former Acts contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Road leading from Kilcullen to Carlow, and the Tolls arising thereout, be and are hereby absolutely freed and for ever discharged of and from all Mortgages, Debentures, or Securities heretofore struck or given by the said Trustees of the said Road, and of and from all Interest due or claimed to be due on the same, except Debentures and Securities given or struck to and for the said Samuel Fairbrother, for the said

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Sum of One thouſand two hundred and ſeventeen Pounds fourteen Shillings and ten Pence, Maurice Keating for the ſaid Sum of One hundred Pounds, William Brown for the ſaid Sum of One hundred and twenty five Pounds, Thomas Aſh for the ſaid Sum of Fifty Pounds, Alexander Sparrow for the ſaid Sum of Seventy five Pounds, John Cherry for the ſaid Sum of Twenty five Pounds, William Ryves for the ſaid Sum of Twenty five Pounds, and Thomas Welſh for the ſaid Sum of Twenty five Pounds.

Provided always, That the ſaid laſt mentioned Truſtees in this preſent Act named, or any eleven or more of them, ſhall have full Power and Authority, and are hereby required to look into and examine the Accounts of all and every Perſon or Perſons, who ſhall have a Claim to be intitled to any ſuch Debenture or Debentures, or other Securities, except as aforeſaid, and to ſtrike new Debentures, or give new Securities in favour of ſuch Perſon or Perſons, for all ſuch Sum or Sums of Money as ſhall appear to the ſaid laſt mentioned Truſtees, or any eleven or more of them, to have been really advanced or laid out in the Repair of the

ſaid

ſaid Road, or for paſſing the ſaid Arts; or in Caſe the ſaid Debentures or Securities, or any of them, ſhall appear to have been aſſigned to pay any Perſon or Perſons for valuable Conſideration, alſo to ſtrike new Debentures, or give new Securites in favour of ſuch Aſſignees, for ſuch Sum or Sums of Money, as ſhall appear to be really and bona fide advanced upon ſuch Aſſignment or Aſſignments, with Intereſt at the Rate of five Pounds for the Hundred by the Year, for ſuch Sum and Sums from the reſpective Times the ſame were ſo advanced, or laid out, or aſſigned as aforeſaid; the ſaid Perſon or Perſons giving Credit for ſuch Sums as they have received on account of the ſame.

Provided allways, that ſuch Intereſt ſhall not become any Part of the Principal Sum or Sums in the ſaid Debenture or Debentures hereby impowered to be ſtruck, ſo as to bear or carry any Intereſt for the ſaid Intereſt, and in caſe any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Account, Act, or Determination, made or ſettled by the ſaid Truſtees in the Premiſſes, it ſhall and may be lawful to and for any Perſon or

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Persons, interested in the Premisses, to apply in a summary Way by Petition to any Court of Equity in this Kingdom; which Court shall state and settle such Accounts, and hear and determine the Matters complained of; and that all Accounts stated, and Determination to be made in the Premisses, shall be final and conclusive to all Parties: Provided such Appeal be brought within six Months after such Determination of the said Trustees.

And be it further Enacted by the Authority aforesaid, That the Tolls and Duties hereby made payable, and directed to be raised and levied on the said respective Divisions or Parts of the said Road leading from Dublin to Kilkenny as aforesaid, shall be applied and paid to the Discharge of the Interest of the said Debts so due to the Creditors of the said Respective Divisions or Parts of the said Road, except the Debts due, as aforesaid, to the said John Dillon, and the Interest of such further and other Sum or Sums as shall be hereafter borrowed for the Use of the said several and respective Divisions or Parts of the said Road, and after Payment of the said Interest towards repair-

ing

ing and amending the ſaid ſeveral and reſpective Diviſions or Parts of the ſaid Road, and that all the Surplus of the ſaid Tolls and Duties hereby made payable as aforeſaid, over and above what ſhall be ſufficient to diſcharge the ſaid Intereſt, and to amend and repair the ſaid Road, ſhall be applied towards the Diſcharge of the Principal of the ſaid Debts, except the Debt due as aforeſaid to the ſaid John Dillon, and of ſuch further and other Sums as ſhall hereafter be borrowed as aforeſaid, in Manner as in the ſaid ſeveral Acts of Parliament, and this preſent Act, are directed and appointed.

And be it further Enacted by the Authority aforeſaid, That from and after the firſt Day of May One thouſand ſeven hundred and ſixty four, no Debentures, Mortgages, or Securities whatſoever, made a Charge or ſtruck, or which ſhall hereafter be made a Charge or ſtruck, upon all or any Part of the Tolls and Duties of all or any Part of the ſaid Road leading from the City of Dublin through the Towns of Kilcullen and Carlow to the City of Kilkenny, ſhall bear or pay a higher

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Interest than at the Rate of five Pounds by the hundred by the Year.

And whereas the Trustees of the said several Divisions or Part of the said Road, leading from the City of Dublin through the Towns of Kilcullen and Carlow, to the City of Kilkenny, have contracted with several Persons for the Amending and keeping in repair the whole or a considerable part of the said Road at very high Prices, and the said Contractors have not amended and kept in repair the said Roads as they ought to have done, by Means whereof it is now become necessary to give the said Road, or the greatest Part thereof, a thorough repair; and it is found expedient to rescind all the said Contracts and Leases of the Tolls of every Part of the said Road: Be it therefore Enacted by the Authority aforesaid, That all Leases or Demises of all or any Part of the Tolls or Duties, or Contracts whatsoever for the amending or keeping in repair all or any Part of the said Road, leading from the City of Dublin, through the Towns of Kilcullen and Carlow, to the City of Kilkenny, from and after the said first Day of May One thousand seven hundred and sixty four, be, and the same is, hereby declared null and

and void, to all Intents and Purposes whatsoever; and that all Contracts for keeping any Part of the said Road from Dublin to Kilkenny in repair for any Term exceeding one Year, shall be hereafter made upon such publick Notice, Posting, and Cant, as is particularly directed by the Act of Parliament herein after mentioned of the Twenty third of His late Majesty's Reign, with respect to the making any Lease or Demise of the Tolls or Duties of any Turnpike Road in this Kingdom.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any seven or more of them, in their said several and respective Divisions or Parts of the said Road leading from Dublin to Kilkenny as aforesaid, to erect Toll-gates on any part of the said Road, where in their Discretion they shall think most proper and convenient; and the said Trustees, or any seven or more of them, are hereby required to meet in their said respective Divisions on the first Monday in the Months of April, May, and June, in every Year, in order to grant Money for the Repairing and Amending of the said Road in the said respective Divi-

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tions, and for the doing any other ne-ceſſary Buſineſs relative to the ſaid Road; and that no Money ſhall be granted at any Board for the Amending and Repairing any Part of the ſaid Road, unleſs it ſhall appear, upon the Affidavit of two credible Perſons, that it is neceſſary to make or repair ſo many Perches of the ſaid Road at the Rate of ſo much by the Perch, and that a ſmaller Sum will not be ſufficient to amend or repair the ſame; and no Money ſhall be paid by any Treaſurer to any Overſeer, unleſs the ſaid Overſeer maketh Oath before ſome Juſtice of the Peace, or before the Board, to conſiſt of ſeven of the ſaid Truſtees at leaſt, that the ſaid Sum hath been faithfully and honeſtly expended in mending or repairing ſo many Perches of the ſaid Road, and for his Wages, be-ing ſo much a Day, and that he did at-tend the ſaid Work diligently and care-fully, and ſhall produce to the ſaid Truſ-tees, or to the Board, an exact Account of the Number of Men, Horſes, and Carts, employed each Day at the ſaid Work, and ſhall ſwear to the Truth of the ſaid Ac-count, and then, and not before, the Board ſhall give an Order to ſuch Overſeer or the Treaſurer for the Payment of the A-mount of the ſaid Account.

And

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And be it Enacted by the Authority aforesaid, that an Act made in the Twenty-third Year of the Reign of His late Majesty King George the Second, intituled, An Act for the more effectual amending and keeping in repair the several Turnpike Roads in this Kingdom, and for the better securing the Creditors of the said Road, and the said four former recited Acts, and all and every the Powers and Authorities, Articles, Rules, Penalties, and Clauses, except what are hereby altered, shall be of full Force and Effect, and shall continue, and be executed, and be observed by the said several Trustees and their Successors, in their said several and respective Divisions, for and during the continuance of this present Act.

And be it Enacted by the Authority aforesaid, That this present Act shall be deemed, adjudged, and taken to be a publick Act, and shall be judicially taken notice of as such by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

CHAP.
XXXIII.

AN

ACT

TO

Prevent Frauds in the Tanning of Hides, in the currying of Leather, and the Making of Shoes and Boots.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

XXXIII

AN

ACT

TO

Prevent Frauds in the Tanning of Hides, in the currying of Leather, and the Making of Shoes and Boots.

CHAP. XXXIII.

WHEREAS several Frauds have been committed in the tauning and dryings of Hides for Exportation, which is a great Injury in Trade; for

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Remedy whereof, be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of September One thousand seven hundred and sixty four, every Tanner or other Person employed in the Tanning of Hides, shall flesh the Hide of every Colt, Ox, and Bull, intended to be tanned by him, in a clean merchantable Manner, and shall also cut out the Ears by the Roots, and shall cut off the Witch Piece, the Nose and Lips, and the Dew Claws, before he shall put such Hide into the Tann-pit, and every Person offending in any of the above Particulars, shall forfeit for every Hide which shall not be so trimmed, the Sum of two Shillings and six Pence, to be recovered as herein after is mentioned.

And be it Enacted by the Authority aforesaid, That from and after the Time aforesaid, no Tanner or other Person shall expose to Sale any tanned Hide, unless the first Letter of the Christian Name and Sirname at length, and the Town in or near which he Lives, in large and legible Characters

tacters of the Tanner of such Hide, shall be stamped on the Collet of such Hide, and if the same be the Hide of a Bull, unless the Word (Bull) be stamped on the Collet of the same; and every Person offending in any of the said last mentioned particulars, shall for every tanned Hide so exposed to Sale, without being stamped as aforesaid, forfeit the Sum of two Shillings and six pence, to be recovered in the Manner herein after mentioned.

And be it Enacted by the Authority aforesaid, That from and after the Time aforesaid, it shall not be lawful for any Person or Persons to buy or sell any tanned Hide or Hides for Exportation within the City of Dublin, or the Liberties thereunto adjoyning, unless at some publick Crane which is now used, or shall hereafter be appointed for weighing of Leather, and that every Person who shall sell any tanned Hide or Hides for Exportation, at any other Place within the said City, or the Liberties thereunto adjoyning, shall forfeit for every Hide so sold the Sum of two Shillings and six Pence, to be recovered as herein after mentioned.

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And be it Enacted by the Authority aforesaid, That from and after the Time aforesaid, no Tanner or other Person shall expose to sale any tanned Hide which shall not be well and sufficiently tanned and dried, and in Case any Difference shall arise between the Buyer or Seller concerning the Tannage or Dryness of any such Hide, the same shall be determined by two skilful Persons, one to be chosen by each of the Parties, and in Case they shall not agree, that then the Person or Persons who shall think him or themselves aggrieved, shall apply to the Lord Mayor of the City of Dublin, or to the chief Magistrate of every other Place where such Difference shall happen, which said Lord Mayor or chief Magistrate shall immediately summon the said Parties as well as the said Referees before him, and the said Lord Mayor or chief Magistrate shall there name one Protestant Tanner such as he shall think fit, as a Referree, along with the said two Persons who shall be chosen by the said Buyer and Seller as aforesaid, and shall swear the said three Referrees to do equal Justice between the Parties, and the Determination of such three Referrees, or of any two of them, shall be

be final and conclusive to all Parties, and in Case the said Persons so chosen as Referrees by the said Buyer or Seller, shall neglect or refuse to obey the aforesaid Summons, or that they or the said Referrees, who shall as aforesaid be named by the said Lord Mayor or chief Magistrate, shall neglect or refuse to determine such Difference within Twenty four Hours after they shall be sworn as aforesaid, that then each and every of such Persons so offending, shall forfeit the Sum of twenty Shillings Sterling, to be levied by Warrant, under the Hand and Seal of the said Lord Mayor or such chief Magistrate, of the Goods of such Offender, and to be by such Lord Mayor or chief Magistrate, paid over to the Church-Wardens of the Parish where such Difference first arose, to be distributed among the Poor of the said Parish, and the said Lord Mayor or chief Magistrate, shall then name two or three Persons, such as he shall think fit, and swear them as aforesaid, to determine the Disputes aforesaid, and in Case any Hide or Hides shall be condemned in the Manner herein before mentioned, as not sufficiently tanned or dryed, every Tanner or other Person who shall have offered such Hide or Hides to sale, shall

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for every such Hide so offered to sale, forfeit the Sum of two Shillings and six Pence, to be recovered as herein after mentioned; and in Case any Merchant or other Person shall by collusion with any Tanner or otherwise, buy any Hide or Hides for Exportation which shall not be Merchantably tanned and dryed, that such Merchant shall for every such Offence forfeit the Sum of two Shillings and six Pence for each unmerchantable Hide or Hides as aforesaid, to be recovered as herein after mentioned.

And be it Enacted by the Authority aforesaid, That every Merchant or other Person who shall attempt to Export any Hide or Hides not marked or stamped as herein before is directed, or who shall neglect to enter the Hides so brought in the Tanner's Book in their own Names at length, shall for every such Hide so attempted to be exported, or which shall not be so entered as aforesaid, forfeit the Sum of two Shillings and six Pence, to be recovered as herein after is mentioned.

And be it Enacted by the Authority aforesaid, That every Merchant, who shall buy Hides at the said publick Crane,

shall

shall remove the same from such Crane in forty eight Hours after the same shall be sold to him, if the Weather will permit the same, under the Penalty of paying a Penny for each Hide by the Day, for every Day he shall suffer them to remain in the said Crane, after the expiration of forty eight Hours as aforesaid.

And be it further Enacted by the Authority aforesaid, That no Craner, or other Person employed by him, shall buy or sell any tanned or curried Leather which shall be brought for sale to the said Crane, under the Penalty of forty Shillings for every Time he or they shall so buy or sell, and that such Craner shall keep a publick Book in such Crane, wherein shall be entered in fair and legible Characters, all tanned and curried Leather brought to such Crane, with the Names of such Persons to whom they belong, and the Name or Names of the Persons who should buy the same, under a Penalty of five Shillings for every Neglect or Omission in this Particular, to be recovered as herein after is mentioned.

And for preventing of Frauds in the manufacturing of curried Leather, be it

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Enacted by the Authority aforesaid, That from and after the first Day of August One thousand seven hundred and sixty four, every Currier, or Person employed in currying Calves Skins or Kips, shall curry the same with good Oyle and Dubbin, or Talloh mired with Dubbin, and not with Bark, Greale, Kitchen Stuff, or Tarr, and that every Person who shall curry any Calve Skin or Kip otherwise, shall forfeit for every Calve Skin or Kip which shall not be so curried, the Sum of six Pence, to be recovered as hereafter is mentioned.

And be it Enacted by the Authority aforesaid, That from and after the Time aforesaid, all Merchants Skins shall be taken down even in the Heads and Necks, and the Flesh shall be taken clean off the Bodies and Shanks of such Skins, except only such Leather as shall be dressed for Coachmakers, Hatness-makers, or Sadlers, and that all rounded Skins shall be cut off at the Eyeholes, and the Shanks cut off at the Knees, and every Person who shall not Manufacture and trim such Skins in the Manner herein directed, (except as herein before excepted) shall forfeit for every Calf Skin or Kip which shall not

not be so manufactured, and for every rounded Skin which shall not be so trimed, the Sum of six Pence; to be recovered as herein after is mentioned. CHAP. XXXIII.

And be it Enacted by the Authority aforesaid, That from and after the Time aforesaid, no Calve Skins or Kip shall be exposed to sale in the City of Dublin or the Liberties thereunto adjoining, unless the same shall be dried merchantable, and plainly marked with the Christian and Sir Names, and places of Abode of the Manufacturer thereof, and every Person who shall expose to sale in the City of Dublin or Liberties thereunto adjoining, any Calve Skin or Kips not dried and marked as aforesaid, shall forfeit for every such Skin or Kip, the Sum of three Pence, to be recovered as herein after is mentioned; and in Case any Difference shall arise between the Buyer and Seller concerning the drying or manufacturing any such Skins or Kips at the Time of the Delivery thereof, such Difference shall be determined in the same Manner as is herein before directed with respect to tanned Hides,

And to prevent Frauds in the making of Shoes and Boots, be it Enacted by the

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Authority aforesaid, That from and after the first Day of August next, no Person shall sell or expose to sale any Shoes or Boots, unless the Name of the Maker of such Boots or Shoes shall be stamped upon the Inside of the Top of such Boots, and the Inside of the Lap of such Shoes, in plain and legible Characters; and in Case any Person shall sell or expose to sale, any Boots or Shoes not stamped as aforesaid, such Person shall for every such Pair of Boots and Shoes so sold or exposed to sale, forfeit the Sum of two Pounds six Shillings, to be recovered as herein after is mentioned.

And be it Enacted by the Authority aforesaid, That the said several Penalties shall be recovered upon Conviction by the Confession of the Party, or by the Oath of one credible Witness, before one Justice of the Peace of the Place where the Offence shall be committed, and shall be levyed by way of Distress upon the Goods of the Offender, by Warrant under the Hand and Seal of the Justice before whom such Conviction shall be, returning the Overplus; the said Forfeitures to go to the Informers.

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AN

ACT

FOR

The better Regulation of the Linen and Hempen Manufactures.



DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN

ACT

FOR

The better Regulation of the Linen and Hempen Manufactures.

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WHEREAS the several Acts of Parliament herein after mentioned, have been made in this Kingdom for the Encouragement, Regulation, and Improvement of the Linen and Hempen Manufactures:

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factures: (that is to say) an Act made in the nineteenth Year of the Reign of His late Majesty King George the Second, intituled, An Act for repealing the several Acts of Parliament made in this Kingdom, for the Encouragement and Improvement of the Hempen and Flaxen Manufactures, and for the better regulating, improving, and encouraging the said Manufactures: An Act made in the Twenty third Year of the Reign of His said late Majesty King George the Second, intituled, An Act for the further Improvement and Encouragement of the Flaxen and Hempen Manufactures: An Act made in the Thirty-first Year of the Reign of His said late Majesty King George the Second, intituled, An Act to prevent Frauds in Lappers and others, and to prevent Abuses in the Manufacture of Kelp, and to prevent Combinations in Weavers and others: An Act made in the Thirty-third Year of the Reign of His said late Majesty King George the second, intituled, An Act for altering and amending the Laws in relation to the Flaxen and Hempen Mauufactures, and the other Manufactures therein mentioned: And whereas it is found necessary for the Improvement of the said Manufactures, that several material Alterations should be made in the said Laws, and many Additions made to them

them, and to avoid the Difficulty and Confusion that may arise from a Multiplicity of Acts of Parliament, relative to the said Manufactures, it is found expedient to repeal the said several Acts, and to make one new Act containing all such parts of the said recited Acts, as are proper to be continued, with such Alterations, Amendments, and Additions, as are herein after contained: Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That all the said Acts, and every Clause in them contained (except the Clause in the said Act of the nineteenth Year of the Reign of His said late Majesty for repealing the several Acts of Parliament therein particularly mentioned) shall be repealed, and made null and void.

And be it Enacted by the Authority aforesaid, That from and after the first Day of August, One thousand seven hundred and sixty four, no Person or Persons shall import, or cause to be imported, into any Port or Place of this Kingdom any bad, mixed, or damnified Flax-Seed or Hemp-Seed, upon Pain of forfeiting such

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such Flax-Seed or Hemp-Seed, or the Value thereof: And also, the Sum of three Pounds Sterling, for every Hogshead of such Seed, and so in Proportion for any lesser Quantity: Provided, if such Flax-Seed or Hemp-Seed shall, before the same shall be removed or carried away from the Port where the same shall be landed, appear to be damaged or unfit for sowing, the Person or Persons importing or causing the same to be imported, shall not be liable or subject to the said Forfeiture or Penalty, in case he, she, or they, shall, before the same shall be carried away from the Port or Place where the same shall have been landed, produce sufficient Proof before some Justice of the Peace, or Chief Magistrate within their respective Jurisdictions, that such Damage was occasioned in the Conveyance by Sea, and give sufficient Security unto such Justice of the Peace or chief Magistrate, that such Seed shall not be sown, but shall be made into Oil, or exported from this Kingdom.

Provided also, and be it Enacted by the Authority aforesaid, That if any Flax-Seed or Hemp-Seed, imported as aforesaid, shall be bad, mixed, or damnified, or otherwise improper and unfit for sowing, the Importer thereof shall not be subject or liable to

to any Penalty or Forfeiture inflicted as aforesaid, in case such Importer shall before he shall sell or dispose of such Seed, or expose the same to Sale, give such sufficient Security as aforesaid, that such Seed shall not be sown, but shall be made into Oil, or exported from this Kingdom.

And that from and after the said first Day of August, One thousand seven hundred and sixty four, no Person or Persons shall mix, or cause to be mixed, different Parcels of Flax-Seed, or different Parcels of Hemp-Seed, of the Growth of different Countries, or of different Years, together; upon Pain of Forfeiting all such Seed as shall be so mixed, or the Value thereof; and also, the Sum of three Pounds for every Hogshead that shall be so mixed, and so in Proportion for any lesser Quantity.

And that from and after the said first Day of August, One thousand seven hundred and sixty four, every Person who shall sell and deliver to any one Buyer, at one Time, four or more Packs, or any larger Quantity or Parcel of Flax-Seed or Hemp-Seed for sowing, or in order to be sown, shall, together with every such Parcel, deliver to the Buyer in Writing a Certificate

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subscribed by such Person, expressing truly the Quantity and Price of the Seed so sold, and that the same was so sold in order to be sown; and if the same shall be of Foreign Production, the Port from whence the same was imported, and the Name of the Country where it grew, and the Year of its Growth; and if such Seed shall be of the Produce of this Kingdom, the Name of the County where it grew, and the Year of its Growth; upon Pain of forfeiting such Seed as shall be so sold without such Certificate as aforesaid, or the Value or Price thereof; and also the Sum of three Pounds for every Hogshead thereof, and so in Proportion for any lesser Quantity; and if any such Flax-Seed or Hemp-Seed shall be of a different Growth or Age, from what shall be expressed in such Certificate, the Person that shall have sold the same, shall forfeit the Price or full Value thereof to the Person that shall have bought the same.

And that from and after the said first Day of August One thousand seven hundred and sixty four, no Person or Persons shall sell, or offer to sell, or expose to Sale, any bad, mixed, or damnified Flax-Seed or Hemp-Seed for sowing, or in order

order to be solved; upon Pain of forfeiting such Seed, or the value thereof; and also, the Sum of three Pounds Sterling for every Hogshead of such Seed, and so in Proportion for any lesser Quantity.

And that no Flax or Hemp shall be steeped or watered in any River, Stream, or Brook, or Running Water, but in Holes or Pits of standing Water, or in Trenches or Places made so near such running Water, as that they may be supplied with fresh Water, at proper Times, without letting any of the Water, impregnated by such Flax or Hemp, run into or mix with any River, Stream, Brook, or running Water, until after the first of October in any Year; unless there shall happen sooner to be a Flood sufficient to carry off such impregnated Water without corrupting such running Water; upon Pain of forfeiting all such Flax and Hemp, or the Value thereof.

And at the Time of pulling the Female or She Hemp, no Male Hemp shall be pulled therewith; and that no Female or She Hemp shall be mixed with the Male Hemp either in watering, dressing, or for Sale, under the Penalty of ten

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Shillings Sterling, for every Hundred Weight of Hemp that shall be so mixed, and so in proportion for any lesser Quantity, to be forfeited by the Owner thereof.

And that all brown, or unbleached, or purged Linen, or Hempen Yarn, that shall be sold or exposed to Sale within this Kingdom, shall be well and sufficiently Spun, and made up into Hanks, not exceeding one Pound and a half Weight in each Hank; and shall be regularly divided into two or more Parts; and that each such Part in every such Hank shall be separated, as the same shall be reelled, and not afterwards; and that in the Reeling of such Linen or Hempen-Yarn, no more than one Thread at a Time shall be reeled; and that all the Yarn contained in every such Hank, shall be Flaxen-Yarn only, or Tow-Yarn only, or Hempen-Yarn only, of the same Fineness throughout such Hank; and that no such Yarn shall be combed, or damped with Water, or Salt and Water, or any other Ingredient to increase the Weight thereof; and that no such Yarn shall be dried over or near a Fire in order to lessen its natural Weight; and that no such Yarn shall be made up in the Rope-way, but

but shall be made up in the Link-Way, or Four-fold-Way, so that every Part of such Yarn may be easily seen and examined; and that all Brown, or unbleached, or purged Linen, or Hempen-Yarn, which shall exceed two Dozen in the Pound Weight, or which shall exceed the Value of one Shilling and ten Pence the Pound, shall be made up in Hanks or Dozens, each Hank or Dozen to consist of twelve Cuts, and no more; and that every such Cut shall contain one Hundred and twenty Threads, and no more; and that every such Hank or Dozen shall be one Yard and a Quarter in length, and no more; and that the Standard-Reel of this Kingdom for Brown or unbleached Linen-Yarn, shall be two Yards and a Half in Circumference, and no more; and that all Linen or Hempen-Yarn, that shall be damped or dried as aforesaid, or that shall not be reeled and made up according to the Directions aforesaid, shall be forfeited: And that if any Duncils shall be made use of in any Fair or Market in Order to distinguish or ascertain the Sort, or Denomination, or Weight, of any Linen or Hempen-Yarn, exceeding in Value two Shillings the Pound Weight, such Duncils shall be forfeited, and every Person

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making use of the same as aforesaid, shall forfeit the Sum of ten Shillings, for every Time he or she shall so make use of the same.

And that no Person in making Twine, Ropes, or Cordage, shall mix any old Hemp or Hempen Yarn within new Hemp, or shall mix or work up together any Flaxen Tow and Hemp, or shall sell or expose to sale, any Ropes, Twine, or Cordage, made up of old and new Hemp, or of Hemp and Flaxen Tow, upon Pain of forfeiting all such Ropes, Twine, and Cordage, and also the Sum of ten Shillings for every Parcel of the same.

And that all White or unbleached Thread, commonly called Count Thread, made of double Flaxen Yarn, shall be reeled on a Reel of thirty Inches, or more in Circumference; and shall be divided into Skeins, each Skein containing ten Threads, or more; and that all Threads made of double Flaxen Yarn, commonly called Ounce Thread, shall be reeled on a Reel of Thirty-five Inches, or more, in Circumference; and shall be divided into Skeins, each Skein containing forty Threads, or more; and that all Bols, made

made of double Flaxen Yarn, shall be reeled on a Reel of Forty-two Inches, or more, in Circumference, and shall be divided into Skeins, each Skein containing fifty Threads, or more. CHAP. XXXIV.

And that all coloured or unbleached Threads, commonly called Taylor's Threads, shall be reeled on a Reel of sixty Inches, or more, in Circumference, and shall be divided into Skeins, each Skein containing sixteen Threads, or more; and that every Manufacturer of Threads, of any Kind whatever, shall write, or otherwise affix, on every Package, Paper, or Parcel of Thread, by him sold, of the Value of five Shillings, or more, his Christian and Sir-name, and Place of Abode, and if resident in the City or County of the City of Dublin, the Name of the Street he shall then reside in.

And that all White Diaper or twilled Tapes made of single Flaxen Yarn, commonly called Diaper Inkles, shall contain Thirty-three Threads, or more, in Breadth, and shall be made up in Pieces, each Piece containing Thirty-six Yards, or more; and that all White Diaper or twilled Tapes, commonly called Diaper Filletting,

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shall contain sixty Threads, or more, in Breadth, and shall be made up in Pieces, each containing Thirty-six Yards, or more; and that all White plain Tapes made of single Flaxen Yarn, commonly called Chatts, Inkles, or Filletting, shall be made up in Pieces, each Piece containing Thirty-six Yards, or more; and that such Chatts shall contain thirteen Threads in Breadth, Inkles shall contain Twenty-one Threads in Breadth, narrow Filletting shall contain Thirty-three Threads in Breadth, and broad Filletting shall contain Forty-nine Threads in Breath, or more; and that all Cherry or red Tapes shall be made up in Pieces, each Piece containing eighteen Yards, or more: And that all plain striped Tapes shall be made up in Pieces, each Piece containing Twenty-four Yards, or more; and that all other coloured Linen Tapes, and striped Diaper or twilled Tapes, shall be made up in Pieces, each Piece containing Thirty-six Yards or more; and that all Braids, Ferretting, and Shoe Lace, made of Flaxen Yarn, or of Flaxen Yarn mixed with Silk or Worsted, shall contain in Length eighteen Yards or more in each Piece; and that all Laces made of Flaxen Yarn, commonly called Points, and all Laces

Laces made of Cotton or Cotton mixed with Flaxen Yarn or Thread, shall contain fifteen Threads, or more, in Breadth; and that all White Bobbin made of single Flaxen Yarn, shall contain Twenty-four Yards in each Piece, and that all Bobbin made of double Flaxen-Yarn shall contain twelve Yards in each Piece. CHAP. XXXIV.

And that all Tapes and Bobbin, that shall be woven in the Looms, commonly called Dutch Engines or Shivel Looms, and made in imitation of the Tapes and Bobbin imported from foreign Parts, shall be made up in Pieces of the respective Lengths herein after mentioned; that is to say, every Piece of plain or twilled Tapes made of single Flaxen Yarn, commonly called common Holland Tapes, shall contain nineteen Yards and an Half, or upwards; every Piece of plain or twilled Fillettings made of single Flaxen Yarn, shall contain Twenty-two Yards, or upwards; and that every Piece of fine Plain Tapes and Fillettings made of Part double and Part single Flaxen Yarn, commonly called fine French Tapes, shall contain ten Yards and an Half in Length; or upwards; and that every Piece of fine twilled Diaper Tapes made of Part single and

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part double Flaxen-Yarn, shall contain ten Yards and one Quarter in Length, or more; and that every Piece of Bobbin or Bandstring Twist, made of double or single Flaxen Yarn, shall contain fifteen Yards in length, or upwards.

And that if any Person shall sell or expose to Sale any Threads, Tapes, Chatts, Inkles, Fillettings, Wades, Ferrettings, Shoe-Lace, Points, or Bobbin whatsoever, that is not conformable to the Lengths, Breadths, and Rules aforesaid, or if the same shall be found in the Custody or Possession of any Weaver, Shopkeeper, Petty Chapman, or Retailer, then and in such Case the same shall be forfeited to such Person or Persons as shall seize the same, and inform thereof, in Manner herein and after mentioned.

And that every Maker of Weaving Reeds shall equally divide all the Splits in each and every Reed by him made or sold, or exposed to sale, and shall likewise mark or cause to be marked with an Iron Brand, or some proper Instrument, in legible and durable Characters on every such Weaving Reed, his Christian Name, Sir-name, and Place of Residence, and also the

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the Hundreds of such Reed, upon Pain of forfeiting such Reed, or the Value thereof, and also the Sum of twenty Shillings for every such Reed not equally divided in the Splits, or not marked as aforesaid.

And that no Linen Weaver, or Linen Manufacturer, shall make use of, or keep, or knowingly suffer to be kept, in his House, or in any Out-house, or Place to him belonging, any Weaving Reed, that shall not be equally divided into Splits, and marked as aforesaid, upon Pain of forfeiting every such Reed to be broken, and also the Sum of ten Shillings Sterling for every such Reed.

And that every Linen Weaver, or Linen Manufacturer, shall across each End of every Piece of Linen Cloth by him, his Journeyman, or Apprentice, woven, weave, or cause to be woven, two coarse Threads, or Cords, distant from each other about one-fourth Part of an Inch, and shall also write, or cause to be written, with Pen and Ink, close to such coarse Threads or Cords, on each End, in legible Characters, his Christian Name, Sir-name, and Place of Residence.

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And that every Weaver shall well and sufficiently weave all sound and sufficient Linen and Hempen Yarn, to him delivered to be woven, within such Time, and in such Reeds, and into Cloth of such Breadths, as shall be agreed upon between the Owner or Owners of such Yarn and such Weaver, upon Pain of forfeiting to the Owner or Owners of such Yarn, the full Value, or the full Price agreed upon for weaving such Yarn.

And that no Person shall entertain any Journeyman Linen Weaver, inhabiting in this Kingdom, in any Employment as a Linen Weaver, unless such Journeyman Linen Weaver shall first produce to the Person about to hire him, a Certificate in Writing, under the Hand of the Master he last served in this Kingdom, of such Journeyman's being discharged from such Master's Service, or of a Justice of Peace, or chief Magistrate, as hereafter mentioned, upon Pain of forfeiting the Sum of five Pounds; and that if any Master shall refuse, without just Cause, to give such Certificate, upon Complaint made thereof by such Journeyman to a Justice of the Peace of the County, or chief Ma-

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Magistrate in any Corporate Town where such Master inhabits, such Justice of Peace, or chief Magistrate, shall send for such Master, and upon his Appearance shall require from him the Reason, why such Journeyman is refused his Discharge; and in case such Master shall wilfully decline to appear before such Justice of the Peace, or chief Magistrate, or upon his Appearance, such Justice of the Peace, or chief Magistrate, shall find that the Cause of Refusal of such Certificate is not sufficient, then, and in either of the said Cases, such Justice of the Peace, or chief Magistrate, may, and is hereby required to give to such Journeyman, a Certificate of such causeless Refusal; which Certificate by such Justice of the Peace, or chief Magistrate, shall be as effectual as if a Certificate had been given by such Master, and shall be given without Fee or Reward, and shall fully discharge such Journeyman to all Intents and Purposes; and that if any Person shall forge or counterfeit any such Certificate, or shall produce any such Certificate, knowing the same to be forged or counterfeited, such Person, upon being indicted and convicted thereof, shall suffer one Year's Imprisonment, without Bail or Mainprize.

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And that no Linen Weaver, or Linen Manufacturer, shall employ his Apprentice for any unreasonable Time in Husbandry, or any other Work or Labour not relating to the Business or Trade of a Linen Weaver; except only during twenty four Days in Harvest in every Year; upon Pain of forfeiting for the first Offence the Sum of ten Shillings, and for the second Offence the Sum of twenty Shillings, and for the third Offence, such Apprentice shall and may, if he desires the same, be discharged from serving the remaining Time of his Apprentiship; and also have what Apprentice-Fee was given by, or with him to such Linen Weaver or Manufacturer, returned to him.

And be it further Enacted by the Authority aforesaid, That if any Person shall summon, or cause to be summoned, by Writing or otherwise, any Manufacturer, Artificer, Weaver, Journeyman, Apprentice, or Labourer, usually employed in any Branch of the Linen, Hempen, or Cotton Manufacture, or in any Manufacture wherein any Linen, Hempen, or Cotton Yarn or Thread shall be mixed or wrought up, or shall summon, or cause to be summoned, by Writing or otherwise, any

any Manufacturer, Artificer, Journeyman, Apprentice, or Labourer, usually employed in any other Trade or Manufacture, to appear at any Meeting, in order to consult upon or to enter into any Rule, Agreement, or Combination, to ascertain or fix the Price of Labour or Workmanship, or shall administer, or cause to be administered, any Oath or Declaration, to any such Manufacturer, Artificer, Weaver, Journeyman, Apprentice, or Labourer as aforesaid, tending to fix the Price of Wages of Labour or Workmanship, or shall issue or cause to be issued, deliver or cause to be delivered, any Ticket, Certificate, or Token, other than and except such Ticket or Certificate as shall or may be delivered by, or by the Order of the Corporation, whereof such Manufacturer, Artificer, Weaver, Journeyman, Apprentice, or Labourer, is or shall be a Member, to any such Manufacturer, Artificer, Weaver, Journeyman, Apprentice or Labourer, of his being licensed to work at his or their respective Trade or Trades, or shall make or join in making any Rule, Order, or Regulation, relating to the Prices or Wages of Labour or Workmanship, in any Part or Branch of the Linen, Hempen, or Cotton Manufacture, or of any Manufactures made up of Cotton,

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Hemp, or Linen, or wherein any Hemp, Linen, or Cotton, are or shall be mixed, or in any Part or Branch of any other Trade or Manufacture, or shall by Force, Menaces, or otherwise, hinder, or attempt to hinder, any such Manufacturer, Artificer, Weaver, Journeyman, Apprentice, or Labourer as aforesaid, to work at his or their respective Trade or Trades, at such Prices as he or they shall agree for with his or their respective Employers, every such Person being thereof lawfully convicted by the Testimony, upon Oath, of one or more credible Witness or Witnesses, or by the Confession of the Person charged with such Offence, before any one Justice of the Peace, or any chief Magistrate, within their respective Jurisdictions, which Oath, such Justice or chief Magistrate is hereby impowered and required to administer, it shall and may be lawful to and for such Justice and chief Magistrate, respectively, by Warrant under his Hand and Seal, to commit the Person or Persons so convicted, to Goal, there to be kept without Bail or Mainprize, for the Space of six Months; and also to order the Person or Persons, so convicted, to be three Times publickly whipped, at some publick Place within the Jurisdiction of such Justice of the Peace, or chief Magistrate.

And

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And that if any ſuch Manufacturer, Artificer, Weaver, Journeyman, Apprentice, or Labourer, as aforeſaid, ſhall take an Oath, or enter into any Combination or Agreement, to aſcertain or fix the Price of Wages or Workmanſhip, or take any Oath, or enter into any Combination, not to work for any particular Maſter or Maſters, Employer or Employers, and ſhall be thereof convicted by the Teſtimony, upon Oath, of one or more credible Witneſs or Witneſſes, or by the Confeſſion of the Perſon charged with ſuch Offence, before any one Juſtice of the Peace, or any Chief Magiſtrate, within their reſpective Juriſdictions, which Oath ſuch Juſtice, or Chief Magiſtrate, is hereby impowered and required to adminiſter; it ſhall and may be lawful to and for ſuch Juſtice, or Chief Magiſtrate, by Warrant under his Hand and Seal, to commit the Perſon or Perſons, ſo convicted, to Goal, there to be kept without Bail or Mainprize, for the Space of ſix Months; and alſo to order the Perſon or Perſons, ſo convicted, to be three Times publickly whipped at ſome publick Place within the Juriſdiction of ſuch Juſtice or Chief Magiſtrate ſhall think proper.

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And that if any Perſon or Perſons ſhall by Day or by Night break into any Houſe or Shop, or enter by Force into any Houſe or Shop with intent to cut or deſtroy any Linen, Hempen, or Cotton Yarn, or any Linen, Cotton, or Hempen Cloth, or any Manufacture made or mixed with Linen, Cotton, or Hempen Yarn, or any Tools employed in making thereof, or any Bay or Woollen Yarn, or any Manufacture wherein any Bay or Woollen Yarn ſhall be uſed or wrought up, or any Tools employed in the making thereof, or ſhall wilfully or maliciouſly cut or deſtroy any Linen, or Hempen, Cotton, or Woollen Manufacture, or any Manufacture made or mixed with Linen, Hempen, Cotton, or Woollen Yarn, or ſhall wilfully and maliciouſly break and deſtroy any Tools uſed in making or manufacturing of the ſame, not having the Conſent of the Owner ſo to do, every ſuch Offender, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death, as in Caſes of Felony, without Benefit of Clergy.

And that every Maker of Hackles, Spinning Wheels, Reels, Weaving Reeds, or Weaving

Weaving Looms, and also every Weaver or Manufacturer of Linen or Hempen Cloth, and every Hackler or Dreſſer of Flax or Hemp, ſhall, and may, and is hereby authorized to exerciſe the ſaid reſpective Trades in any City or Town Corporate within this Kingdom, without any Let or Hindrance from any Perſon whatſoever, and without being charged or chargeable with the payment of any Money or Duty whatſoever for or in reſpect of his following ſuch Trade or Buſineſs.

And that no Perſon ſhall ſell or expoſe to Sale any Piece of Plain Linen Cloth, being of or exceeding the Set of Fourteen Hundred, made or intended to be of the Denomination commonly called Yard Wide, that ſhall not be when Brown, and before the ſame ſhall be bleached, thirty ſeven Inches and a half broad at leaſt, and which ſhall not be when bleached thirty four Inches broad at leaſt, upon pain of forfeiting ſuch Piece.

And that no Perſon ſhall ſell or expoſe to ſale any Piece of plain Linen Cloth being of or exceeding the Set of Twelve Hundred, made or intended to be of the Denomination commonly called ſeven

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eighths Wide, that shall not be when brown, and before the same shall be bleached, thirty two Inches and a half broad at least, and which shall not be when bleached, thirty Inches broad at least, upon pain of forfeiting such Piece.

And that no person shall sell or expose to sale any Piece of plain Linen Cloth, being of or exceeding the Set of Six Hundred, made or intended to be of the Denomination commonly called three quarters Wide, that shall not be when brown, and before the same shall be bleached, twenty eight Inches broad at least, and which shall not be when bleached twenty five Inches broad at least, upon Pain of forfeiting such Piece.

And that no Piece of white or bleached plain Linen Cloth, shall be sold or exposed to Sale that shall not be twenty-five Inches broad at least, upon Pain of forfeiting such Piece.

And that no Piece of plain Linen Cloth of the Kind or Denomination, commonly called and known by the Name of Colerains, shall be sold or exposed to Sale, that shall not be when brown, and before the same

same shall be bleached, thirty-two Inches broad at least, or that shall not be when bleached thirty Inches broad at least, upon Pain of forfeiting such Piece. CHAP. XXXIV.

And that no Piece of brown or unbleached plain Linen Cloth shall be sold, or exposed to Sale, or packed up, or entered for Exportation, that shall not throughout such Piece twenty-six Inches Broad at least, upon Pain of forfeiting such Piece.

And that no Piece of brown or unbleached plain Linen Cloth, or Hempen Cloth, or of plain Cloth made of Cotton Yarn, or of Cotton and Linen Yarn mixed, shall be sold, or exposed to Sale, or packed up, or entered for Exportation, which shall be thicker or finer in the Selvage than in the Body of such Piece, or which shall not be of equal Fineness and Thickness throughout every Part of the Length and Breadth of such Piece; and that no Piece of brown or unbleached plain Linen Cloth, of the Set of Eight Hundred or upwards, shall be sold, or exposed to Sale within the Province of Ulster, which if thirty-six, thirty-seven, or thirty-eight Inches broad, shall contain

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any greater Number of Yards in Length than twenty-five Yards, upon Pain of forfeiting such Piece, and also the Sum of forty Shillings by the Person selling or exposing such Piece to Sale, or packing up or entering the same for Exportation.

And that every Piece of brown or unbleached Linen Cloth, that shall be brought to any Fair or Market, or that shall be sold, or exposed to Sale, shall be so brought, sold, or exposed to Sale, in open Folds, and no Ways tied at either End, or in the Middle; and that every such Piece, excepting such as are generally known by the Names of Osnabrigs or Dowlasses, shall be also crisped; and that every single Piece of such Linen Cloth, not containing more than twenty-five Yards in Length, shall be in Folds not exceeding twenty seven Inches in Length in each Fold; and that every double Piece of such Linen Cloth, not containing more than fifty Yards in Length, shall be in Folds not exceeding thirty-six Inches in Length in each Fold; and that every double Piece of such Linen Cloth, containing more than fifty Yards in Length, shall be in Folds not exceeding forty-five Inches in each Fold, upon Pain of forfeiting

feiting such Piece; and that if any Person shall buy, or offer to buy, any Piece of brown or unbleached Linen Cloth in any Wise tied, or otherwise than crisped, and in open Folds, such Person shall forfeit the Sum of three Pounds for every such Piece of Cloth so bought, or offered to be bought as aforesaid.

And that all Linen, Cotton, and Hempen Cloth, and all Cloth mixed with Linen, Cotton, or Hempen Yarn, shall be measured between Seal and Seal; and that bad and insufficient Ends shall not be taken into the Length thereof; and shall be bought and sold by no other Measure but the Statute-Yard, containing thirty-six Inches; and that no extraordinary Measure or Allowance, except the Breadth of a Thumb, as is now generally practised, to every Yard in the measuring thereof, shall be made therein by the Seller to the Buyer, or required, or accepted of, or taken, by the Buyer from the Seller; and that no Part of the Price or Value thereof shall be stopped, demanded, or received, by the Buyer from the Seller, under Colour of any Agreement or Usage whatsoever, upon Pain that every Person so buying or selling such Goods, contrary

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to the true Intent and Meaning of this Act, ſhall forfeit all ſuch Goods ſo bought or ſold, and alſo twenty Shillings for every ſuch Offence.

And that no Perſon ſhall knowingly ſell or expoſe to Sale, any Piece of brown or unbleached Linen or Hempen Cloth, any Part whereof ſhall have been dyed or ſtained either in the Yarn or Cloth, with Bean Leaves, Bark, Lamb-black, Charcoal, Indigo, burned Stick, or Gun-powder, or any other Material which has a Tendency to render the Part, ſo ſtained or dyed, difficult to bleach, upon pain of forfeiting ſuch Piece, and alſo the Sum of twenty Shillings for every ſuch Piece; and that every ſuch Piece of Cloth ſhall be cut into Parts, not exceeding four Yards in Length in any one Part.

And be it Enacted by the Authority aforeſaid, That no Perſon in the Province of Ulſter ſhall make Uſe of, or have in his Cuſtody or Poſſeſſion, or knowingly ſuffer or permit to be kept in his Houſe, or Place to him belonging, any Glazing Machine, Mill, or Engine, for glazing or ſmoothing unbleached or brown Linen, or Hempen Cloth, in order to make the ſame look thicker

thicker; upon Pain of forfeiting every ſuch Glazing Machine or Mill, and alſo the ſaid Cloth that ſhall be ſo glazed, and alſo the Sum of three Pounds. CHAP. XXXIV.

And that no Perſon ſhall make Uſe of Lime, Soaper's Dregs, or Pigeon's Dung, in the Bleaching or Whitening of Linen or Hempen Cloth, or Linen or Hempen Yarn, except ſuch Perſon or Perſons as ſhall be particularly employed or directed for that purpoſe by the Truſtees herein after mentioned, or by any five or more of them, to make Uſe of Lime in bleaching ſuch Pieces of Linen Cloth, as ſhall be particularly ordered or delivered to ſuch Perſon or Perſons by the ſaid Truſtees, or any five or more of them, for the Purpoſe only of making Experiments how far Lime may be ſafely and advantageouſly uſed in Bleaching; upon Pain of forfeiting ſuch Cloth or Yarn, or the Value thereof, and alſo the Sum of five Pounds for every Piece of Linen Cloth, and five Shillings for every Hank of Linen Yarn, in the bleaching or whitening whereof any Lime, Soaper's Dregs, or Pigeon's Dung, ſhall be uſed without ſuch Direction as aforeſaid.

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And that no Perſon ſhall mix any Stones, Sand, or Gravel amongſt Kelp, in the burning or manufacturing thereof, or ſhall ſell, or expoſe to ſale, any Kelp adulterated with Stones, Sand, or Gravel, upon Pain of Forfeiting all ſuch Kelp as ſhall be ſo mixed or adulterated, and alſo the Sum of three Pounds for every one Hundred Weight thereof; and that ſuch Kelp, as ſhall be ſo mixed or adulterated as aforeſaid, ſhall be broken into ſmall Parts, and thrown out for Manure on any Land, except ſuch Land as ſhall belong to the Perſon determining ſuch Offence.

And that it ſhall and may be lawful to and for every Perſon or Perſons whatſoever, being ſeized in Poſſeſſion in Law or Equity of an Eſtate in Fee-tail, or for his Life, with immediate Remainder over to, or in Truſt for his Iſſue, to demiſe any Part of the Land whereof he or they ſhall be ſo ſeized, being no Part of the Demeſne uſually occupied with his or their Manſion-Houſe, and not exceeding fifteen Acres Plantation Meaſure, for one or more Life or Lives renewable for ever, or for any Term of Years, at the full improved yearly Value

Value of such Lands, to be set to a solvent Tenant, at the Time of making such Lease, for the Purpose of making a Bleach-Yard or Bleach-Green thereon, or of preserving and continuing a Bleach-Yard or Bleach-Green already made thereon, and furnishing Conveniencies for the Workmen and Persons employed, or to be employed therein; and in case the Lands so demised, whereon no Bleach-Yard or Bleach-Green hath been already made, or a Third Part thereof, shall be formed into a Bleach-Yard or Bleach-Green, within three Years after the making of such Lease, and a Sum or Sums of Money not less than ten Pounds, for every Acre so demised, shall be laid out within the said three Years in Improvements for the Purpose only of carrying on the bleaching Business on the same; then, and not otherwise, such Lease, renuable for ever, or Lease for Years, shall be good and effectual against every Person claiming any Estate in such Land, as Issue in Tail, or by Virtue of any Limitation, Remainder, or Reversion, in any Will or Settlement, under which such Tenant in Tail, or for Life, shall be intitled to such Land at the Time of making such Lease.

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And that if any Perſon ſhall wilfully and maliciouſly damage any Linen, Hempen, or Cotton Cloth, or any Manufacture made or mixed with Linen or Hempen Yarn, in any Bleach-Yard, by making Holes or Rents therein, or by throwing Gravel, Sand, or Dirt, into any Rubbing Boards, Furnace, or Waſh-Mill, which ſhall be uſed in ſuch Bleach-Yard, or by mixing Dye-Stuffs, or other improper Materials, with the Lyes or Sours which ſhall be uſed in ſuch Bleach-Yard, or in any other Manner whatſoever, every ſuch Perſon being thereof lawfully convicted upon Indictment, ſhall be adjudged guilty of Felony, and ſhall be tranſported as a Felon to one of His Majeſty's Plantations in America, for ſeven Years.

And that no Perſon employed to take Care of or Work in any Bleach-Yard, ſhall fraudulently take into ſuch Bleach-Yard any Linen, Hempen, or Cotton Cloth, or any Linen, Hempen, or Cotten Yarn, or any Manufacture mixed with any Linen or Hempen-Yarn, in order to bleach or whiten, or otherwiſe improve the ſame, without the Knowledge or Privity of his, her,

her, or their Master or Mistress, or Owner of such Bleach-Yard, upon Pain of forfeiting to the Owner of such Bleach-Yard, the Sum of forty Shillings for every Piece of such Cloth, and two Shillings for every Hank of such Yarn that shall be fraudulently taken in as aforesaid.

And that every Person employed to take Care of, or work in any Bleach-Yard, that shall know of any Damage to have been committed with regard to any Cloth or Yarn in such Bleach-Yard, shall within six Days, after his or her knowing the same, give true Information of all he or she knows, or has credibly heard concerning the same to the Owner of such Bleach-Yard, upon Pain of forfeiting to the Owner of such Bleach-Yard, the full Value that such Cloth or Yarn was of immediately before such Damage.

And that no Person employed to work in any Bleach-Yard, shall, during the Time that he or she shall be hired to work therein, unless in Case of Sickness, unavoidable Necessity, or the Leave of the Overseer, or the Owner of such Bleach-Yard, absent himself, or herself, from such Bleach-Yard, upon Pain of forfeiting to

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the Owner of such Bleach-Yard, for every Day that he or she shall be so absent, the full Wages or Hire that he or she was to have for one Week's Work.

And that every Person keeping or occupying a Bleach-Yard, shall mark or stamp, or cause to be marked or stamped in legible Letters with Lampblack, or Vermilion, or Stone Blew, and Size his or her Christian Name, and Sir Name, and place of abode, with the Addition of the Word Bleacher on each End of every Piece of Cloth by him or her bleached or whitned, before he or she shall sell or expose the same to sale, or deliver the same to the Owner thereof, upon Pain of forfeiting the Sum of twenty Shillings for every Piece of Cloth that shall be bleached by such Person, and not marked as aforesaid.

That if any Linen or Hempen Yarn, Linen or Hempen Cloth shall be damaged or abused in the Bleaching or Whitening thereof, whilst under the Care of any Bleacher or Bleachers for Hire, such Bleacher or Bleachers shall take all such damaged or abused Yarn or Cloth to his or their own Account, and pay the Owner

or

of Owners thereof the full Value that such Yarn or Cloth was worth when Brown. CHAP. XXXIV.

And that no Person or Persons whatsoever shall keep, employ, or make use of any publick Bleath-Yard within the City of Dublin, or five Miles thereof, without Licence for that Purpose first had and obtained from the Trustees herein after mentioned, from the Time being, or any five or more of them, on Pain of forfeiting the Sum of two hundred Pounds, to be paid to such Person or Persons, and for such uses, as the said Trustees or any five or more of them shall think Proper, and that no Fee or Reward shall be taken for such Licence or Licences.

And that all Brown or unbleached Linen or Hempen Cloth, Linen or Hempen Yarn, that shall be sold in any Place in this Kingdom, except in the City of Dublin or Suburbs thereof, by any Person or Persons other than Resident Merchants or Shop-keepers dealing in such Cloth or Yarn, or other than and except such Linen or Hempen Yarn as shall be Sold in a Wholesale Way (that is to say) in one Quantity or Parcel to the

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Value of twenty Pounds or upwards by one Person, shall be sold Publickly in some open Market or Fair between the Hours of Eight of the Clock in the Forenoon and Four of the Clock in the Afternoon, for Linen and Hempen Yarn, and between the Hours of Ten of the Clock in the Forenoon, and Four of the Clock in the Afternoon, for brown or unbleached Linen or Hempen Cloth, on the respective Day or Days on which such Market or Fair is usually held, and that if any Person or Persons not being a resident Merchant or Shop-keeper or Dealer in a Wholesale Way as aforesaid, shall sell, or offer or Contract to sell, any such Cloth or Yarn in any other Manner than as aforesaid, such Person or Persons shall forfeit such Cloth or Yarn or the Value thereof.

And be it Enacted by the Authority aforesaid, That all Linen Yarn and Linen Cloth, which shall be hereafter sold or bought in any Fair or Market, shall be sold and bought within the Custom-Gates, or Custom-Gaps of such Fair or Market; and all Linen Yarn and Linen Cloth which shall be sold or bought coming to any Fair or Market, and not within the said

said Custom-Gates or Gaps, shall be for-feited. CHAP. XXXIV.

And be it Enacted by the Authority aforesaid, that three Days before the Day on which any Fair is appointed to be held, except the Fairs of Lanesborough and Stroakstown, for which six Days before the Days on which the said Fairs of Lanesborough and Stroakstown are respectively appointed to be held, and no longer Time shall be allowed for buying and selling Linen Yarn, in any Fairs within the Province of Connaught; and if any Person or Persons shall act contrary to the Direction aforesaid, in buying or selling of Linen Yarn within the said Province, every Person offending therein, shall, for every such Offence, forfeit the Sum of three Pounds Sterling, provided that the above Limitation of Time shall not extend to any Person or Persons keeping open Shop in any Town, or buying and selling in such Shop.

And that if any Person, not being a resident Merchant or Shopkeeper, dealing in Linen or Hempen Cloth, or Cottons, or Chequers, or any Manufactures mixed with Linen, Hempen, or Cotton Yarn, shall buy by him or herself, or by any Per-

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son or Persons in Trust for him or her, any brown or unbleached Linen Cloths, or brown or unbleached Linen Cloaths, or brown or unbleached Linen Yarn, in any Market or Fair, or in any other Place whatsoever, and shall sell, or offer to sell, by him or herself, or by any Person or Persons in Trust for him, or her, the same Goods again in the same Market or Fair, or in any neighbouring Market or Fair, or in any other Place whatsoever, within the Distance of thirty Miles from the Place where the same shall have been bought, on the same Day, or within one Month afterwards, without having first made some useful Improvement or Alteration in such Cloth, Yarn, or Manufacture, every such Person selling or offering to sell such Goods, shall be deemed a Forestaller, Hawker, or Jobber of the same, and shall forfeit such Goods, or the Value thereof; and that every Person who shall buy any such Goods from any such Forestaller, Hawker, or Jobber, knowing them to have been offered to be sold contrary to the Directions aforesaid, shall forfeit all such Goods so bought by him, or her, or the Value thereof.

And that no Piece of brown or unbleached Linen or Hempen Cloth, bought in

in any Fair or Market, or in any other Place whatsoever, shall be again sold, or exposed to sale, in any Fair or Market, or other Place whatsoever, unless the Person so selling or exposing to sale shall previous thereto have truly wrote, or caused to be wrote, his Name with Ink on the Back or Outside of every such Piece, with the Addition of the Word Buyer under the Seal of the Seal-Master upon Pain of forfeiting every such Piece.

And that no Person shall sell or expose to sale any brown or unbleached Linen or Hempen Cloth for Hire or Reward, unless previous to his selling such Cloth, the Name of such Person so selling be written in a legible Manner, with Ink, under the Impression of the Seal-Master's Seal, made on the Back of such Cloth, with the Addition of the Word Seller; and if any Person shall, for Hire or Reward, so sell any such Linen, not having his or her Name written thereon as aforesaid, he or she shall, for every such Offence, forfeit the Sum of forty Shillings.

And that no Person shall sell, or agree to sell, or buy, or agree to buy, any Linen Yarn brought from the Country to the

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City of Dublin, nor within three Miles thereof, in order to be sold in any Place within the City of Dublin, or within three Miles thereof, except at the Yarn Market established by the Trustees herein after mentioned, upon Pain of forfeiting the Sum of forty Shillings for every such Offence.

And that no Toll, Custom, or Duty whatsoever shall be paid or demanded for any Flax-seed, or Hemp-seed, Flax, Hemp, or Cotton, or any Cloth made of Linen or Hempen or Cotton Yarn, or Cloth made of Linen, or Hempen Yarn, and Cotton mixed, Kelp, or Pot-Ashes, Wheels, Reels, Hatkles, or Looms, for or by Reason of their being brought to, or kept in any Market or Fair, or for the Passage of them, or any of them, over any Bridge, or through any City, Town, or Place whatsoever (Turnpike Gates only excepted) and that if any Person shall demand, exact, or take any Toll, Custom, or Duty, whatsoever, contrary to the true Intent and Meaning hereof, every such Person so offending, shall, for every such Offence forfeit the Sum of forty Shillings.

And

And that no Duty whatsoever shall be paid to His Majesty, His Heirs, or Successors, for or on Account of the exporting any Linen, or Hempen Cloth, made or manufactured in this Kingdom; and that no Duty shall be demanded, levied, or raised to the Use of His Majesty, His Heirs, or Successors, for or by Reason of the importing any Wood, or Weed-Ashes of any Kind used in bleaching, or any Blue called Smalts, or any Oil of Vitriol, or Black Soap, or any Bleacher's Furnaces, or any Weaving-Loom; and that no Duty shall be demanded, levied, or raised to the Use of His Majesty, His Heirs or Successors, for or by Reason of the importing any good and sound Flax-Seed, or Hemp-Seed, of the Growth of Russia, Germany, the Netherlands, the East-Country, or any of the British Plantations in America.

And that if any Weaver, Bleacher, Carrier, Seal-Master, Calender-Keeper, Lapper, or other Person whatsoever, intrusted with any Linen or Hempen-Yarn, or any Linen or Hempen Cloth, or any Materials or Working Tools for manufacturing the same, shall fraudulently sell

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or embezle the ſame, or any Part thereof, of the Value of One Shilling, or upwards, ſuch Weaver, Bleacher, Carrier, Seal-Maſter, Callender Keeper, Lapper, or other Perſon, and the Receiver or Receivers theteof, knowing the ſame to be embezled, ſhall forfeit to the Perſon or Perſons aggrieved thereby, four Times the Value of ſuch Yarn, or Cloth, or Materials, or working Tools ſo embezled.

And to the End that the ſeveral Orders and Regulations herein contained, for the Improvement of the Linen and Hempen Manufactures, may be effectual, and carried into due Execution; and that all ſuch Duties and Sums of Money as are now, or ſhall be hereafter directed to be applied to the Uſe of the ſaid Manufactures, may effectually anſwer the Purpoſes for which they are or ſhall be intended, Be it Enacted by the Authority aforeſaid, That the ſeveral Perſons nominated and appointed for each of the four Provinces of this Kingdom, Truſtees for encouraging the ſaid Manufactures, purſuant to the Powers in ſome of the ſaid Acts contained, ſhall and may continue Truſtees for encouraging the ſaid Manufactures, with the Powers and Authorities herein after veſted

vested in them, and that when and as often as any of the said Trustees already nominated or appointed, or hereafter to be nominated or appointed, shall happen to die, that in such and no other Case, the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, for the Time being, shall and may, and is and are hereby enabled from Time to Time, to nominate and appoint such other Person or Persons to be a Trustee or Trustees, for encouraging the said Manufactures, in the Place and Room of such of the said Trustees as are now dead, or shall happen to die, to be allways nominated and appointed as aforesaid, for the same Province of this Kingdom, for which the respective Person or Persons, now dead, or hereafter to die, was or were formerly appointed; and that the said Trustees for the Time being, or any five or more of them, shall and may from Time to Time, as often as they shall think fit, meet and assemble together, in some convenient Place within the City of Dublin, or Liberties thereof, or County of Dublin, to settle and adjust such Matters as they shall think most expedient for the establishing and carrying on the said Manufactures, and for preventing all Frauds

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and Abuses that may happen in the same, or any Branch thereof; and that the said Trustees for the Time being, or the major part of them, present at any such Meeting, such major part not being less than seven in Number, shall and may from Time to Time appoint, during their Pleasure, a Clerk, Door-keepers, and other necessary Servants to attend them; and also Officers, Factors, and Servants to attend and execute the Business of the Linen-Hall, Yarn-Hall, Flax and Hemp-Market, and Calender-House, and ascertain and direct proper Salaries to be paid to such Clerk, Door-keepers, Servants, Officers, and Factors respectively, not exceeding in the Whole four hundred Pounds a Year, to be paid out of the Duties already granted, or to be hereafter granted, for the Purposes in this Act; and that the said Trustees for the Time being, or the major Part of them, present at any such Meeting, such major Part not being less than seven in Number, or their Clerk for the Time being, by the Order of such major Part of them, shall and may enter into any Contract or Contracts with any Person or Persons, for the carrying on the said Linen and Hempen Manufactures, or any Branch or Branches thereof; which

Contract

Contract or Contracts shall, as to the said Trustees or their Clerk, be binding only upon and answered out of the said Duties; and that no Looms, Spinning-Wheels, Reels, Hackles, Calenders, or Presses, or any of them, which the said Trustees shall lend, or cause to be lent, to any Person or Persons for carrying on the said Manufactures, or any Branch of them being sealed, or stamped with the Seal or Stamp appointed or used by the said Trustees for that Purpose, shall be distrained for Rent or Hearth-Money, or on any other Account whatsoever, or shall be seized by Virtue of any Process or Execution by any Sheriff, Seneschal, or Bailiff, or other Person whatsoever.

And for the more effectual preventing of all Frauds and Abuses in the said Manufactures, and in every Branch thereof, Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees for the Time being, or any five or more of them, from Time to Time, to license and appoint during their Pleasure such fit and proper Persons, and in such Places as they shall judge convenient, to

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be Packers of dreſſed Hemp, or Seal Maſters of brown or unbleached Linens, or Lappers of White Linens; and that the ſaid Truſtees for the Time being, or the Major Part of them preſent at any ſuch Meeting, ſuch major Part, not being leſs than five in Number, ſhall and may from Time to Time, and at all Times hereafter, make, conſtitute, and appoint ſuch Rules, Orders, and Directions, (provided the ſame be not contrary to this Act) for regulating, governing, and directing the ſaid Linen-Hall, Yarn-Hall, Flax and Hemp Market, and Calender-Houſe, and all Cloths, Yarn, Flax, and Hemp brought thereto, or lodged therein, and all Officers, Factors, and Servants employed in or about the ſaid Linen Hall, Yarn-Hall, Flax and Hemp-Warehouſe, or Calender-Houſe, and alſo for governing and directing all Officers, Servants, Seal-Maſters, and Lappers, that are or ſhall be appointed by them as aforeſaid, as they the ſaid Truſtees, or ſuch major Part of them, ſhall think proper; and that every ſuch Clerk, Packer, Seal-Maſter, Lapper, Officer, Factor, or Servant ſo appointed, ſhall be ſubject to and obſerve all ſuch Rules, Orders, and Directions, and under ſuch Fines or Penalties,

nalties, not exceeding twenty pounds for any one Offence, as the said Trustees for the Time being, or such major Part of them, shall so as aforesaid make, constitute, or appoint; and that the said Trustees for the Time being, or any five or more of them, may, and are hereby authorized, and impowered to take such Security or Securities, by Bond or otherwise, in the Name or Names, or of any one or those of them, or in the Name of their Clerk for the Time being, for the due Observance of all such Rules, Orders, and Directions as aforesaid, by every such Clerk, Packer, Seal-Master, Lapper, Officer, Factor, or Servant respectively, as the said Trustees for the Time being, or any five or more of them shall direct and appoint: And that it shall and may be lawful to and for the said Trustees for the Time being, or any five more of them, to administer to every such Clerk, Packer, Seal-Master, Lapper, Officer, Factor, and Servant respectively, any Oath for the faithful Execution of their respective Offices; and that if any Complaints shall be made against any such Clerk, Packer, Seal-Master, Lapper, Officer, Factor or Servant, for any Fraud, Misbehaviour, or Neglect in his said Office, that it shall

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be lawful to and for the said Trustees for the Time being, or any five or more of them, on Examination upon Oath of the Parties, and such Witnesses as shall appear or be produced before them (which Oath the said Trustees for the Time being, or any five or more of them, are hereby impowered to administer finally to hear and determine the same, and to impose such Fine upon any such Clerk, Packer, Seal-Master, Lapper, Officer, Factor, or Servant, not exceeding the Sum of Twenty Pounds for any one Offence; and to be paid to such Person or Persons as the said Trustees for the Time being, or any five or more of them shall judge proper; and that it shall and may be lawful to and for the said Trustees for the Time being, to commence, prosecute, and defend, in the Name of their Clerk, for the Time being, any Suit either in Law or Equity, touching or concerning any Contract or Agreement, heretofore made or entered into, or hereafter to be made or entered into by the said Trustees, or any seven or more of them, or their Clerk for the Time being, by such Order as aforesaid; and that all Suits and Proceedings in any Court of Law or Equity, in the Name of such Clerk, shall be as

as good and effectual to all Intents and Purposes, as if such Suits and Proceedings had been commenced, prosecuted, defended, or carried on in the Names of the said Trustees, or any of them; and in Case any Bill or Petition shall be filed or exhibited in any Court of Equity, against the said Trustees for the Time being, or any of them, or their Clerk for the Time being, for, or on Account of any Matter or Thing, by the said Trustees, or any of them, made or done in Execution of the Powers, Authorities, or Trusts heretofore or hereby vested in them, they the said Trustees, or any of them, shall not be obliged to answer such Bill or Petition, but that the Answer of such Clerk to such Bill or Petition shall be deemed and taken to be the Answer of the said Trustees, and shall be binding upon them to all Intents and Purposes whatsoever; and in case such Clerk shall happen to die, or be removed whilst such Suit shall be depending, that then and in such case such Suit shall not abate by the Death or Removal of such Clerk, but shall be carried on in the Name of the succeeding Clerk, and shall stand to all Intents and Purposes in the same Plight and Condition, as it was immediately before such Death or Removal;

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moval; and that the said Trustees, or any three or more of them, shall and may meet the first Monday in every Month of May, August, November, and February, for the purpose only of hearing and determining all Complaints that shall or may be made against such Clerk, Packers, Seal-Masters, Lappers, Officers, Factors, or Servants, or any of them; and shall and may sit from Day to Day, until all such Complaints are finally determined; and that any Person or Persons who shall think him, her, or themselves aggrieved by any Determination of such three or more of the said Trustees, may at any Time within one Month after such Determination, appeal to the said Trustees: The Determination of whom, or any five of them therein, shall be final and conclusive.

And that every Seal-Master of brown or unbleached Linen or Hempen Cloth, appointed or to be appointed as aforesaid, shall carefully view, examine, and measure every Piece of Linen or Hempen Cloth that shall be produced and offered to him to be sealed; and if the same shall appear to him to be merchantable, and to be in every respect conformable to the Directions

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rections aforesaid, then, and not otherwise; such Seal Master shall and may fold up the same in Folds, beginning from one of the Ends of such Piece; and if such Piece shall not contain more than twenty-five Yards in Length, then no such Fold thereof shall exceed twenty-seven Inches; and if such Piece shall not contain more than fifty Yards in Length, then no such Fold thereof shall exceed thirty-six Inches; and if such Piece shall contain more than fifty Yards in Length, then no such Fold thereof shall exceed forty-five Inches; and that none of such Folds on either Sides shall be inclosed, or involved, or what is commonly called locked; and that first or outside Fold of every such Piece shall begin from one of the Ends of such Piece, and that End shall not in any Manner be folded in; and that every such Seal-Master shall affix a fair Impression of such Seal, as shall be appointed for him by the said Trustees for the Time being, or any five or more of them, with Lampblack or Vermillion, or Stone-Blue, and Size or common Oil on the Middle of such Fold, at not more than thirteen Inches and an Half from the End of such Piece as shall not contain more than twenty-five Yards, and at not more

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than eighteen Inches from the End of such Piece as shall not contain more than fifty Yards in Length, and not more than twenty-two Inches and a Half from the End of such Piece as shall contain more than fifty Yards in Length; and that such Seal-Master shall affix a fair Impression of such Seal, with such Ingredients as aforesaid, on each of the Ends of every such Piece, and shall likewise mark with such Ingredients as aforesaid, on the Back or Outside of every such Piece, the Length of such Piece, and the Number of Inches it contains in Breadth, and also the Half Inch, if the same shall be in Breadth Half an Inch more than any Number of Inches, without Regard to any lesser Fractions of an Inch, and the Name of such Seal-Master, and the County wherein he resides; and that if any Parts of such Piece shall be damaged or faulty, but not so damaged or faulty as to render the same unmerchantable, every such damaged or faulty Part shall be fairly exposed in the Lap or Bosom of such Piece, so as that the same may be easily seen, and that opposite to such damaged or faulty Part upon the Bosom of every such Piece, such Seal-Master shall affix an Impression of his Seal, with such

such Ingredients as aforesaid, to denote such damaged or faulty part; and that no such Seal-Master shall buy, or offer to buy, or suffer to be bought, in his House, any brown or unbleached Linen or Hempen Cloth that shall be brought to him to be sealed; and that no such Seal-Master, shall, during the Time he shall continue a Seal-Master, act as a Lapper, or lap or seal any white or bleached Linen or Hempen Cloth; and that such Seal-Master shall and may demand, and take the Sum of One-penny and no more for every Piece of green or unbleached Linen or Hempen Cloth, containing twenty-five Yards or under, that shall be by him sealed as aforesaid, and so in Proportion for a greater Quantity; and that if any such Seal-Master shall offend in any of the Matters aforesaid, every such Seal-Master shall, for every such Offence, forfeit such Sum not less than ten Shillings, nor exceeding forty Shillings, as the Person or Persons herein after impowered to determine such Offences, shall, upon the Circumstances of the Case, adjudge and determine. CHAP. XXXIV.

And that no Person shall sell, or expose to Sale, or pack up, or enter for Exportati-

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on, or buy, or agree to buy, any Piece of green or unbleached Linen or Hempen Cloth, that shall not be at the Time of selling, or exposing the same to Sale, or of packing up, or entering for Exportation, sealed and marked as aforesaid, upon Pain of forfeiting the Sum of five Pounds for every such Piece.

And that every Lapper of White or bleached Linen, or Hempen Cloth, appointed, or to be appointed as aforesaid, shall carefully view, examine, and measure every Piece of White or bleached Linen, or Hempen Cloth, that shall be produced and offered to be lapped; and if the same shall appear to him to be merchantable, and to be conformable to the Directions aforesaid, then, and not otherwise, such Lapper shall and may lap and make up the same, in such Manner, and in such Folds, as the said Trustees, or any five or more of them, shall, for that Purpose, direct or appoint; and that every such Lapper, shall, with Vermillion, or Stone-blue and Size, mark on every such Piece the Length thereof, and the Number of entire Inches, and also the Half Inch, if the same shall be in Breadth Half an Inch more than any Number of Inches such Piece contains in

Breadth,

Breadth, without regard to any leſſer Fractions of an Inch; and alſo the Name of ſuch Lapper, and the County wherein he ſhall then reſide, and alſo ſuch other Impreſſion as the ſaid Truſtees, for the Time being, or any five or more of them, ſhall direct, upon ſuch Parts of ſuch Piece as the ſaid Truſtees, or any five or more of them, ſhall direct; and that if any Part of ſuch Piece ſhall be damaged or faulty, but not ſo much damaged or faulty as to render the ſame unmerchantable, then every ſuch damaged or faulty Part ſhall be fairly expoſed in the Lap or Boſom of ſuch Piece, ſo as that the ſame may be eaſily ſeen; and that oppoſite to ſuch faulty or damaged Part, ſuch Lapper ſhall affix an Impreſſion of his Seal, with ſuch Ingredients as are laſt mentioned, to denote ſuch damaged or faulty Part; and that no ſuch Lapper ſhall fold or put up two or more Pieces, ſo as to ſeem only one entire Piece; and that ſuch Lapper ſhall and may demand, and take the Sum of Two-pence, and no more, for each Piece of white or bleached Linen or Hempen Cloth, that ſhall be lapped and marked by him as aforeſaid. CHAP. XXXIV.

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And that no Perſon ſhall ſell or expoſe to Sale, or pack up, or enter for Exportation, or buy, or agree to buy, any Piece of White or bleached Linen or Hempen Cloth, that ſhall not be lapped and marked as aforeſaid, except Remnants, and ſmall Pieces not exceeding ſeven Yards in Length, upon Pain of forfeiting the Sum of five Pounds for every ſuch Piece.

And that every Packer of Hemp appointed, or to be appointed as aforeſaid, ſhall carefully view, examine, and weigh, all ſuch dreſſed Hemp as ſhall be produced and offered to him for that Purpoſe; and if ſuch Hemp ſhall appear to him to be good and merchantable, then, and not otherwiſe, ſuch Packer ſhall and may pack, and make up the ſame, and mark on each Package the Weight of the Hemp therein contained, and ſeal or ſtamp the ſame with the Name of ſuch Packer, and the County in which he ſhall then reſide, and ſuch other Impreſſion as the ſaid Truſtees, or any five or more of them, ſhall appoint; and that ſuch Packer ſhall and may demand, and take ſuch Sum of Money as ſhall be appointed by the ſaid Truſtees, or any five or more of them, for that Purpoſe,

not

not exceeding Six-pence for every Hundred Weight of Hemp so packed and marked; and that no Person shall sell, or expose to Sale, one Hundred Weight, or any greater Quantity of dressed Hemp, of the Growth of this Kingdom, not being packed and marked as aforesaid, upon Pain of forfeiting the same. CHAP. XXXIV.

And that if any Person shall counterfeit the Name of any Reed-maker, or the Name of any Linen Weaver, or Linen Manufacturer, or the Name of any Buyer, or the Name of any Person keeping or occupying any Bleach-Yard, or the Name of any Draper directed to be marked or stamped as aforesaid, or shall counterfeit the Seal or Stamp so as aforesaid appointed, or to be appointed, for such Packer, Seal-Master, or Lapper as aforesaid, or shall alter the Figures or Stamps made upon any Piece of Linen, or Hempen Cloth, by any Seal-Master, or Lapper, to mark the Length or Breadth of the same, such Person being thereof lawfully convicted, shall be condemned to stand in the Pillory, or to be transported for the Term of seven Years, to some of His Majesty's Plantations in America, at the Discretion of the Judge or Judges, who shall try such Offence.

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And that no Packer shall stamp any Package of Hemp, or Seal-Master, or Lapper, shall seal or stamp any Piece of Linen or Hempen Cloth, after Notice that his Seal or Stamp is ordered by the said Trustees, or any five or more of them, to be given up, or not to be longer used by him, upon Pain of forfeiting the Sum of Twenty Pounds; and that an Advertisement for that Purpose, published four Times successively in the Dublin Gazette, shall be sufficient Evidence against such Packer, Seal-Master, or Lapper, of such Order and Notice thereof; and that every Packer, Seal-Master, or Lapper, whose Seal or Stamp shall be ordered to be given up by the said Trustees, or any five or more of them, shall, within two Months after the last Notice, published as aforesaid, cause his Seal or Stamp to be delivered to the Clerk of the said Trustees for the Time being, upon Pain of forfeiting the Sum of Twenty Pounds; and that no Packer, Seal-Master, or Lapper, shall sell or lend his Seal or Stamp, or suffer the same to be used by any other Person whatsoever, upon Pain of forfeiting Twenty Pounds; and that no Person shall use the Seal or Stamp of any

Packer,

Packer, Seal-Master, or Lapper, in stamping or sealing any Package of Hemp, or any Piece of Linen or Hempen Cloth, other than and except such Packer, Seal-Master, or Lapper respectively, upon Pain of forfeiting the Sum of Twenty Pounds. CHAP. XXXIV.

And that an Advertisement printed in the Dublin Gazette, containing such Directions or Orders as the said Trustees, or any five or more of them, shall from Time to Time make as aforesaid, to be observed by any Packer, Seal-Masters, or Lappers, and continued in such Gazette for four successive Times, shall be deemed to all Intents and Purposes full and sufficient Notice to all Packers, Seal-Masters, and Lappers, that such Orders and Directions were made by the said Trustees, or five or more of them.

And whereas the said Trustees, or five or more of them, in the Execution of their said Trusts, have frequent occasion to render or require Certificates, signed by a Justice of the Peace, or Chief Magistrate, or one of the said Trustees, and also Affidavits made before some Justice of the Peace, or Chief Magistrate, or one of the said Trustees, to be laid before them: be it

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Enacted by the Authority aforesaid, That it shall and may be lawful, to and for every Justice of the Peace, and Chief Magistrate, and every one of the said Trustees, to administer an Oath to, and take an Affidavit from any Person whatsoever, touching or concerning any Matter or Thing, in any wise relating to or concerning the Linen or Hempen Manufacture, or any Branch thereof; and that if any Person or Persons shall forge or counterfeit the Name of any Justice of the Peace, or Chief Magistrate, or Trustee, to any Certificate or Affidavit that shall be ordered or required by the said Trustees, or any five or more of them, or shall produce to the said Trustees, or any five or more of them, or to their Clerk for the Time being, any such Certificate or Affidavit, knowing the same to be forged or counterfeited, or shall knowingly swear any Thing which is false in such Affidavit, such Person or Persons shall, upon Conviction thereof, suffer such Punishment as Persons convicted of wilful and corrupt Perjury are, by the Laws of this Kingdom, subject to.

And

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And that all Offences, or Breaches, committed of or against any Clause or Article in this present Act contained, except where the same are hereby particularly appointed to be heard and determined, and except where the Penalty or Forfeiture does or may exceed in Value the Sum of six Pounds Sterling, shall and may be heard and finally determined, by the said Trustees for the Time being, or any one or more of them, or by any one or more Justice or Justices of the Peace, or Chief Magistrate of any City or Town Corporate, within their respective Jurisdictions; and that all Offences or Breaches committed of or against any Clause or Article in this present Act contained, where the Penalty or Forfeiture does or may exceed in Value the Sum of Six Pounds Sterling, except where the same are hereby particularly appointed to be heard and determined, shall and may be heard, and finally determined by the said Trustees for the Time being, or any five or more of them; and that it shall and may be lawful to and for the said several Persons hereby impowered to hear and determine the said Offences respectively, to examine upon Oath all and every such Witness and Witnesses as shall be produced

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before them respectively, which Oath they are hereby impowered respectively to administer, upon any Complaint or Information to him or them made, of any Offence or Breach committed of or against this Act, and to issue their Warrants respectively to any one or more Constable or Constables, requiring and impowering him or them by Distress and Sale of the Offender's Goods (the Overplus whereof shall be rendered to the Owner or Owners thereof) to levy the respective Penalties or Forfeitures by such Offenders incurred, which when levied shall be paid to the real Informer or Prosecutor in all Cases, except where the same are hereby otherwise directed to be applied, first deducting thereout the Sum of Two Shillings in the Pound, to be paid to the Constable or Constables for executing such Warrant; and in case no sufficient Distress can be found, then and in every such case it shall and may be lawful to and for the several Persons hereby impowered to hear and determine the said Offences respectively, by ther respective Warrants, to commit such Offender or Offenders to the House of Correction, or next Goal, for so long Time as they shall respectively think proper, not exceeding six Months in the whole; and that

that when any Linen or Hempen Cloth shall be determined to be forfeited for not being made pursuant to the Directions aforesaid, the Person or Persons so determining the same to be forfeited, shall and may order, and cause such Cloth to be cut and severed into three or more equal Parts cross Ways, before the same shall be delivered to the Informer or Prosecutor; and that if any Action or Suit shall be commenced or brought against any Person whatsoever, for doing, or causing to be done, any Act, Matter, or Thing, in Pursuance hereof, the Defendant or Defendants, in such Action or Suit, shall and may plead the general Issue, and give the special Matter in Evidence; and if upon such Action, or in such Suit, Judgment shall be given for the Defendant or Defendants, or the Plaintiff or Plaintiffs therein shall become non-suit, or discontinue his, her, or their Action or Suit, then the Defendant or Defendants therein shall have treble Costs.

Provided allways, That nothing herein contained shall extend to charge any Person or Persons with any Penalty, Forfeiture, or Punishment, for or concerning any Offence or Breach of or against this Act,

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unless he, she, or they so offending shall be complained of, or informed against, to the person or persons hereby impowered to determine such Offences, within six Months after such Offence or Breach shall be done and committed.

And that if any Complaint or Information shall be made or given against any Weaver, Manufacturer, or Seal-master, for any Offence against this Act, it shall and may be lawful to and for the Person or Persons herein before impowered to determine such Offence, in Case it shall appear to him or them that such Complaint or Information was ill founded, and without just Cause, to adjudge the Person or Persons making or giving such Complaint or Information, to pay to the Person or Persons so complained of, or informed against, any Sum not less than two Shillings, nor exceeding ten Shillings, to be levied and recovered by such Ways and Means as are herein before directed, with regard to Penalties, not exceeding six Pounds in Value.

And that it shall and may be lawful to and for the Person and Persons hereby impowered to hear and determine Offences against

against this Act, by writing under his or their Hand, or Hands, to summon and order the Apprentice, Servant, or Journeyman, of any Reed-maker, Weaver, or Manufacturer of Linen or Hempen Cloth, Bleacher, or Draper, or Flax-Seed Merchant, or any other Person or Persons whatsoever, to appear before him or them, and upon his or their Appearance, to examine him or them upon Oath as to his or their Knowledge, concerning any Offence or Breach of or against any Part of this Act; and in Case such Apprentice, Servant, Journeyman, or other Person, being summoned, shall wilfully refuse to appear pursuant to such Summons, or appearing shall refuse to be examined upon Oath, to the Purpose aforesaid, that then it shall and may be lawful to and for such Person or Persons impowered as aforesaid, to commit such Apprentice, Servant, Journeyman, or other Person to the House of Correction, or next Goal, there to be kept for the Space of thirty Days, unless he, she, or they, shall sooner submit to be examined as aforesaid: Provided that such Person as shall be so examined, shall not be liable to any Penalty, Forfeiture, or Punishment, relating to the Offence

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which he or she shall on such Examination discover.

And that no Felon convicted according to the Course of the Law and Statutes of this Kingdom of stealing of Linen, Hempen, or Cotton Yarn, or Linen or Hempen Cloth, or Cloth made of Linen and Cotton Yarn, or any Materials or Utensils used in bleaching the same, above the Value of five Shillings, from or out of any Bleach-yard, Buck-house, or Work-house thereunto belonging, whether the Fact be committed by Day or Night, shall not be allowed the Benefit of Clergy.

And that if any Person or Persons shall rescue, or take by Force, any Hemp-seed, Flax-seed, Flax, Hemp, Twine, Ropes, Cordage, Thread, Bols, Tapes, Chatts, Inkles, Filletting, Brades, Ferretting, Shoe-lace, Points, Bobbin, Linen-yarn, Hempen-yarn, Weaving-reed, Linen-cloth, or Hempen-cloth, out of the Custody or Possession of any Person or Persons, who shall have seized the same, for being managed, used, or made, contrary to the Directions aforesaid, every such Person, so rescuing or taking by Force, shall forfeit the Sum of forty Shillings, and also the full

full Value of the Goods so rescued and taken as aforesaid. CHAP. XXXIV.

And that the Appointments of all such Officers, Factors, Servants, Packers, Seal-masters, and Lappers, and all such Rules, Orders, and Directions, as have been already made by the said Trustees, pursuant to the Powers vested in them by the said recited Acts, or some of them, shall be as valid and of as much Force and Effect, to all Intents and Purposes, as if such Appointment, Rules, Orders, and Directions, were made by the said Trustees, pursuant to the Powers by this Act vested in them; and that all such Contracts as have been already entered into by the said Trustees, or by any Person or Persons by their Order, and for and on their Behalf, pursuant to the Powers vested in them by any Act of Parliament now in Force, shall have the same Force and Effect, to all Intents and Purposes, as if this Act had never been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

And that it shall and may be lawful to and for the said Trustees for the Time being, in the Name of their Clerk for the

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Time being, to sue for in a summary Way by civil Bill, and recover against every Packer, Seal-master, or Lapper respectively, and their respective Security or Securities, all such Sum and Sums of Money as have been imposed since the first Day of May One thousand seven hundred and fifty-five, or shall be from Time to Time hereafter imposed by the said Trustees as aforesaid, by Way of Fine or Penalty on such Packer, Seal-master, or Lapper.

And that it shall and may be lawful, to and for the said Trustees, or any five of them, by Writing under their Hands and Seals, to authorize any one or more Person or Persons, from the Hours of ten of the Clock in the Morning to five in the Afternoon, to enter into the several Apartments of the said Linen-Hall and Yarn-Hall, and into all other Shops, Stalls, and Places, wherein any Linen Yarn, not Linen Cloth, shall be sold or exposed to sale within the City of Dublin, or within the Liberties of Saint Sepulchre's Thomas-Court, and Donore, and to seize all green or unbleached Linen Yarn, and all plain Linen Cloth, which shall be there sold or exposed to sale contrary to the Directions of this Act, and to carry the same before the said Trustees,

tees, or any three or more of them, who are hereby required to examine into all Offences committed in such Linen Yarn or Linen Cloth against this Act, or any Part thereof, and to adjudge such Forfeitures, and inflict and levy such Penalties, as are by this Act directed for every such Offence. CHAP. XXXIV.

And that if any Person shall sustain any Loss or Damage in the buying any Piece of brown or unbleached Linen or Hempen-Cloth, by any damaged Part being concealed in the Folds thereof, or by its not answering the Measure as to the Length or Breadth marked thereon by such Seal-Master, it shall and may be lawful to and for such Person to sue for and recover from the Seal-master of such Piece, or the Person or Persons who shall, at the Time of such sealing, be bound as Security for his faithful Discharge of the Office of Seal-master, or from the Manufacturer or Weaver of such Piece, in case such Piece shall not before then have been bought by any Person; and in case the same shall have been before then bought by any Person or Persons, then from the Buyer of such Piece, the full Value of the Loss or Damage so sustained, and also any Sum not less than five Shillings,

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not exceeding forty Shillings, to be determined by the Person or Persons by this Act impowered to determine such Offences.

And that if any Person shall sustain any Loss or Damage, by Means of any Fraud in the lapping any Piece of Linen or Hempen Cloth, or by any damaged Part being concealed in the Folds thereof, or by its being rotten or unmerchantable, or by its not answering the Measure as to the Length or Breadth marked thereon by such Lapper, it shall and may be lawful to and for such Person to sue either the Lapper of such Piece, or the Person or Persons who shall, at the Time of lapping and sealing the same, be bound as Security or Securities for his faithful Discharge of the Office of Lapper, or the Person or Persons whose Name or Names shall be marked thereon, as the Draper or Drapers, and recover from such Lapper, or his Security or Securities, or such Draper, the full Value of the Loss or Damage so sustained, and also the Sum of twenty Shillings, in case such Loss or Damage shall not exceed five shillings; and in Case such Loss or Damage shall exceed five Shillings, then the Sum of five Pounds for every such Piece, the same to

to be recovered, if not exceeding twenty Pounds, by Civil Bill, and if upwards of twenty Pounds, then the same to be recovered in any of His Majesty's Courts of Record in Dublin. CHAP. XXXIV.

Provided, that if the said Trustees shall have fined such Seal-master or his Security, or such Lapper or his Security, for such Offence, and receive the Fine or Penalty imposed by them for such Offence, before such Suit commenced, that then such Seal-master or his Security, Manufacturer, Weaver, or Buyer respectively, or such Lapper or his Security, or such Draper, shall not be sued for such Damage or Loss as aforesaid.

And that in all Complaints, Informations, Suits, Civil Bills, or Actions, to be made, brought, commenced, or prosecuted against any Packer, Seal-master, or Lapper, founded upon this Act, a Certificate of the Clerk of the said Trustees for the Time being, under the Hand and Seal of such Clerk, shall be taken, deemed, and adjudged full and sufficient Evidence, that such Person is their Clerk, and that the Persons therein for that Purpose named, were respectively and duly appointed

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Packers, Seal-masters, or Lappers, by the said Trustees, and had acted as such in the several Matters in such Certificate contained, and that the Persons therein for that Purpose mentioned, were Securities for such Packers, Seal-masters, or Lappers respectively; and that the Fine or Fines, Penalty or Penalties, therein contained, was or were duly imposed by the said Trustees; and that the Persons in such Certificate mentioned as Trustees, were duly appointed Trustees for encouraging the Linen and Hempen Manufactures of this Kingdom; and that in all Complaints, Informations, Suits, Civil Bills, or Actions, to be made, brought, commenced, or prosecuted against any Reed-maker, Weaver, Manufacturer of Linen or Hempen Cloth, Seal-master, Buyer, Bleacher, Lapper, or Dresser, in the Name of the Reed-maker, signed or marked on any Reed, pursuant to the Directions herein before contained, shall be full and sufficient Evidence, that such Reed was made by the Person whose Name is signed or marked thereon; and the Name of the Weaver or Manufacturer signed or marked on any Piece of Linen or Hempen Cloth, shall be full and sufficient Evidence, that such Piece was woven or manufactured by the Person

Perſon whoſe Name is ſigned or marked thereon; and the Name of the Seal-maſter ſigned or marked on any Piece of Linen or Hempen Cloth, ſhall be full and ſufficient Evidence, that ſuch Piece was ſealed by the Perſon whoſe Name is marked or ſigned thereon; and that the Name of the Buyer, wrote on any Piece of Linen or Hempen Cloth, ſhall be full and ſufficient Evidence that ſuch Piece was bought by him; and that the Names of the Bleacher and Lapper, ſigned or marked on any Piece of Linen or Hempen Cloth, ſhall be reſpectively full and ſufficient Evidence that ſuch Piece was bleached and lapped by the Perſons reſpectively whoſe Names are ſigned or marked thereon; and that the Name of the Draper, ſigned or marked on any Piece of Linen or Hempen Cloth, ſhall be full and ſufficient Evidence that ſuch Piece was bleached for the Uſe and Benefit, and was the Property of the Perſon whoſe Name is ſigned or marked thereon as the Draper.

And be it Enacted by the Authority aforeſaid, That from and after that a convenient Piece or Parcel of Ground, lying and being in the Shire or County Town

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of any County, within the Provinces of Leinster, Munster, and Connaught, shall be purchased, conveyed, or otherwise assured, with the Approbation of the Grand Jury at the Assizes held for such County, to any Person or Persons, his, or their Heirs, upon Trust, and to the Intent that a publick Ware-house or Market-house should be erected and built thereon, for the lodging in and exposing to Sale any Flaxen or Hempen Yarn, Flax or Hemp, Flax-seed or Hemp-seed, that then it shall and may be lawful to and for the Grand Jury of such County where such Piece or Parcel of Ground shall be so purchased, or otherwise assured, for the Use and to the Intent aforesaid, at the general Assizes to be held in and for such County, to present any Sum or Sums of Money, not exceeding in the Whole the Sum of three hundred Pounds, to be levied, raised, and paid in the same and in like Manner as other publick Money is raised and paid in such County; and when such Money is so raised and paid, the same to be applied in the erecting and building such publick Ware-House or Market-house on such Piece or Parcel of Ground, for the several Uses and Purposes aforesaid; and after such Ware-house or Market-house shall

shall be built and erected, it shall and may be lawful to and for the Grand Jury of the said County, wherein such Ware-house or Market-house shall be so erected, at the general Assizes to be held in and for such County, to present a Sum, not exceeding the Sum of fifteen Pounds per Annum, for the Salary of an Officer to attend such Warehouse, or Market-house. CHAP. XXXIV.

And whereas the Assizes for some Counties within the Provinces of Leinster, Munster, and Connaught, are held within the Precincts or Limits of Counties of Cities, and Counties of Towns, in Places appointed and particularly provided for that Purpose, and excluded from being Part of such Counties of Cities, and Counties of Towns, by Reason whereof it may happen that no convenient Ground can be purchased or otherwise obtained, for erecting and building such Ware-house or Market-house, in the Places where such Assizes are held, so as to be within the same County; and in case such Disputes may arise what Town shall be deemed and taken to be the Shire or Counry Town; to prevent therefore such Inconveniencies, and to obviate all such Differences:

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Be it enacted by the Authority aforesaid, That the respective Grand Juries of such Counties, within the Provinces of Leinster, Munster, and Connaught, where the Assizes are held within the Precincts or Limits of any County of a City, or County of a Town, if a convenient Piece or Parcel of Ground can be had or obtained in such County of a City, or County of a Town, by Purchase, or other Assurance to the Purposes aforesaid, may present such Sum or Sums of Money as aforesaid, for the building and erecting such publick Ware-house, or Market-house, for the said Uses and Purposes, and for the Salary of the Officer attending the same; and such Ware-house or Market-house, when built, shall be esteemed and taken to be the Publick Ware-house and Market-house of the County erecting the same, in as full a Manner as if such Ware-house or Market-house was built in the Shire-Town, and shall from Time to Time be repaired by such County by Presentment of the Grand Jury, notwithstanding such Ware-house or Market-house lies in a different County; any thing herein contained to the contrary notwithstanding.

And

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And whereas by an Act of Parliament passed in England **in the third and fourth Years of the Reign of her late Majesty Queen** Anne, **intituled,** An Act to permit the Exportation of Irish Linen Cloth to the Plantations, and to prohibit the Importation of *Scotch* Linen into *Ireland*, **it was enacted, That it should be lawful to export from** Ireland **directly to the** British **Plantations, all Sorts of White and brown Linen Cloth, being the proper Manufacture of** Ireland, **under the Restrictions and Conditions in the said Act mentioned, for the Term of eleven Years; which Act, by one other Act passed in** Great-Britain **in the first Year of the Reign of his late Majesty King** George **the first, intituled,** An Act for continuing several Laws therein mentioned, relating to Coals, Hemp, and Flax, *Irish* and *Scotch* Linen, and the Assize of Bread; and for giving Power to adjourn the Quarter-Sessions for the County of *Anglesey*, for the Purposes therein mentioned; **was continued for one Year, and from thence to the End of the next Session of Parliament:**

And whereas by one other Act passed in Great-Britain **in the third Year of the Reign of his late Majesty King** George **the first, intituled,** An Act for continuing the Liberty of

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exporting Linen Cloth to the Britiſh Plantations in *America*, Duty free, and for the more effectual Diſcovery of and proſecuting ſuch as ſhall unlawfully export Wool and Woollen Manufactures from *Ireland*; and for Relief of *John Fletcher*, in reſpect of the Duty by him paid for a Quantity of Salt loſt in the Exportation for *Ireland*; **it is Enacted, That the ſaid recited Act of the third and fourth Years of Queen** Anne, **ſo far forth as the ſame relates to the Exportation of** Iriſh **Linen Cloths to the ſaid** Britiſh **Plantations, ſhould be and was thereby continued in full Force, ſo long as the Merchants and other Perſons of** Great-Britain **were or ſhould be permitted to import into** Ireland, **free from all Duties, ſuch White and brown** Britiſh **Linen Cloth as ſhould be made and manufactured in** Great-Britain.

And whereas by an Act paſſed in this Kingdom in the fourteenth and fifteenth Years of King Charles **the ſecond intituled,** An Act for ſettling the Exciſe or new Impoſt upon His Majeſty, His Heirs, and Succeſſors, according to the Book of Rates therein inſerted; **all** Britiſh **Linen Cloth imported into this Kingdom is ſubject to an Exciſe or Duty of ſix Shillings for every hundred Ells:**

And

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And whereas by an Act paſſed in this Kingdom in the ſaid fourteenth and fifteenth Years of his ſaid late Majeſty King Charles **the Second, intituled,** An Act for ſettling the Subſidy of Poundage, and granting a Subſidy of Tunnage, and other Sums of Money, unto His Royal Majeſty, His Heirs, and Succeſſors, the ſame to be paid upon Merchandizes imported and exported into or out of the Kingdom of *Ireland*, according to a Book of Rates thereunto annexed, **all** Britiſh **Linen Cloths imported into this Kingdom, were ſubject to a further Duty of ſix Shillings for every hundred Ells: Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Merchants, and other Perſon and Perſons** of Great-Britain, **to import into this Kingdom all ſuch white and brown** Britiſh **Linen Cloth, as is or ſhall be made and manufactured in** Great-Britain, **free, exempted, and diſcharged, of and from the Duties of ſix Shillings, and ſix Shillings for every hundred Ells, and all other Duties whatſoever, impoſed or ſet on the ſame by the ſaid Acts, or any other Act or Acts in Force in this Kingdom, ſo long, and during ſuch Time, as it ſhall be and continue lawful to export from this Kingdom directly to the** Britiſh **Plantations all ſorts**

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of White and Brown Linen Cloths of the Manufacture of this Kingdom, on such Terms, Conditions, and Limitations, as in the said recited Act of the third and fourth Years of Queen Anne are limited and appointed, and no longer.

And be it further Enacted by the Authority aforesaid, That when good, sound, and merchantable Flax-seed, of the Growth of this Kingdom, is or shall be at five Shillings per Bushel or under, every Merchant or other Person who shall put on Ship-board to export, or cause to be exported, from the Port of Dundalk, or any other Port of this Kingdom Southward of Dundalk, to any Port beyond the Sea, any Quantity of Flax-seed of the Growth of this Kingdom, shall bring a Certificate in Writing under his or their Hand or Hands, containing the Quantity of Flax-seed so shipped, to the Commissioners, Collectors, or other Persons appointed, or to be appointed, for the Time being, to collect the Duties and Rates within any such Port, and upon Oath made of the Truth of such Certificate, by any credible Person, before any of the said Officers, who are hereby impowered to administer the same, and that the same is good, sound, and merchantable Flax-seed

of

of the Growth of this Kingdom, and that no Premium has been already received for the Export of such Seed, and also upon Bond given by every such Merchant or other Person, in the Sum of Twenty Shillings, for every Barrel of such Seed, and so in Proportion for any greater Quantity, that the said Seed is good and merchantable of the Growth of this Kingdom, and the Danger of the Seas excepted, shall be exported into Parts beyond the Seas, from the Port where such Seed shall be so shipped, and shall not be relanded in any Part of this Kingdom, every such Merchant so shipping of any Quantity of such Seed, making Oath, and giving such Certificate and Bond as aforesaid, shall have and receive, clear and free of all Duties payable upon the Export of Flax-Seed, the Sum of One Shilling per Bushel as a Premium for every such Bushel of such Seed, to be paid by such Officer or Officers, and in such Manner as Drawbacks are usually paid.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for all and every of the Justices of the Peace for the several and respective Counties, from whence Flax-

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Seed shall and may hereafter be exported, and they are hereby injoined and required, at every their Quarter-Sessions, to give in Charge in open Court to the Grand Jury then assembled, to make Enquiry and Presentment upon their Oaths of the common Market Price of Flax-Seed, as the same shall be commonly brought and sold in every such County, which Inquiry and Presentment the said Grand Jury are hereby impowered and required to make.

And be it further Enacted by the Authority aforesaid, That such Presentment shall be made in open Court, and shall be certified by the said Justices in Writing to His Majesty's Chief Officer and Collector of the Custom for the Time being, residing in every such Port, from whence such Flax-Seed may be exported, and shall be hung up in some publick Place in the Custom-Houses belonging to every such Port, to be resorted to by all Persons for their Information.

Provided allways, That if the Grand Jury in any County shall neglect to make such Presentment, at any of their said Quarter-Sessions, in such Case, no Premium shall be paid within such County upon

upon the aforesaid Exportation, until a Presentment shall be made by the Grand Jury of such County, at their Quarter-Sessions, for ascertaining the Price of Flax-Seed within the said County, in Manner aforesaid. CHAP. XXXIV.

Provided allways, and be it further Enacted by the Authority aforesaid, That no Fee or Reward whatsoever shall be paid to, or received or demanded by any Custom-house, or Revenue-Officer, for or on Account of the shipping, exporting, or landing any Flax-Seed of the Growth of this Kingdom.

And in order to encourage the Exportation of Linen and Hempen Cloth, and to ascertain and limit the Fees payable thereon, be it Enacted by the Authority aforesaid, That from and after the first Day of August, One Thousand Seven Hundred and Sixty-four, there shall be paid to all or any of the Patentee Officers, or any other Officer or Officers of His Majesty's Customs or Revenue, their Clerks or Servants, for Fees, or upon any Pretence, or for any Cause whatsoever, for any one Entry of Linen or Hempen Cloth of the Manufacture of this Kingdom, that shall be ex-

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ported or entered for Exportation, containing less than fifty-eight Pieces, one Penny and no more, and for any one Entry containing fifty-eight Pieces or upwards, the Sum of Four Shillings and Ten-pence and no more, nor more than Six-pence for any Certificate of such Parcels; and in case any Officer or Officers shall, after the Day aforesaid, demand or receive any greater Fee than as aforesaid, he or they so offending, being duly convicted thereof, upon Indictment or Information, shall immediately thereupon forfeit his Employment, and be incapable ever afterwards of having any Office or Employment in the Revenue of this Kingdom: Provided always, That Information upon Oath of such Offence shall be given to some Justice of the Peace, or Chief Magistrate, within their respective Jurisdictions within one Month after such Offence shall be committed.

And whereas divers persons to evade the paying of Duty for foreign Sail-Cloth brought into this Kingdom, make the same up into Sails on board their Ships, and frequently sell the same to other Ships in the same Port; and often great Quantities of such foreign Sail-Cloth

Cloth are run, and immediately after to conceal the ſame, are made up into Sails: For Remedy whereof, be it Enacted by the Authority aforeſaid, That all new Sails made of foreign Sail-Cloth, found on board any Ship or Boat, except what are for the Uſe of ſuch Ship or Boat, ſhall be liable to the ſame Duty as if in Pieces; and if ſuch Sails ſhall be landed or put on board any other Ship or Boat, without having firſt paid the ſaid Duty, the ſame ſhall be forfeited, one Moiety to His Majeſty, His Heirs, and Succeſſors, and the other to ſuch Perſon or Perſons as ſhall give Information thereof to the Commiſſioners or Sub-Commiſſioners of His Majeſty's Revenue, who are hereby impowered to examine and condemn the ſame, in the ſame Manner as is directed in the ſaid Act of Exciſe, with the like Liberty of Appeal as is therein mentioned.

CHAP. XXXV.

AN

ACT

TO

Explain and amend the ſeveral Laws made in this Kingdom, for the effectual Preſervation of Sal-mon Fiſh.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

AN

ACT

TO

Explain and amend the ſeveral Laws made in this Kingdom, for the effectual Preſervation of Salmon Fiſh.

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WHEREAS by an Act of Parliament paſſed in this Kingdom, in the Thirty-firſt Year of the Reign of His late Majeſty King George the Second, intituled, An Act to explain and amend the

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several Laws in this Kingdom, for the effectual ~~Preservation of Salmon Fish, it is among~~ other things Enacted, That from and after the Twenty-fifth Day of March, One thousand seven hundred and fifty eight, no Person whatsoever should, at any Time between the twelfth Day of August, and first Day of February in any Year, fish in any River with any Net, Fishing-Rod, or other Instrument, or carry on the Bank of any River any Gaff, Loop, Net, Lister, or Spear, or any other Instrument for killing of Salmon, under the Penalty of five Pounds Sterling for such Offence; and it was thereby also further Enacted, That every Proprietor or Farmer of any Salmon Fishery, or other Person whatsoever, who should at any Time between the twelfth Day of August, and first Day of February in any Year, kill or take, or be aiding, abetting, or accessary to the killing or taking of Salmon, in any River, being thereof convicted, should for every such Salmon so killed or taken forfeit the Sum of forty Shillings, and the several Forfeitures to be sued for, levied, and recovered, in such Manner as by the said Act is directed but by the said Act it is provided, that nothing in the said Act contained should extend, or be construed to extend,

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tend, to the Rivers Rathmelton, Lackagh, Donegal, Bondrouſe, all in the County of Donegal; the Rivet of Sligo, the River Shannon, from the Sea to the Iſland of St. Thomas, above the Salmen Weat belongin to the City of Limerick, the Rivet Boyne Lough, Lough Lane, the Rivers Lanne and Carragh, in the County of Kerry, the Rivet Lee which runs to the City of Cork, and the Rivet Buſk in the County of Antrim, the Rivet Newport, in the County of Mayo, in which ſaid Rivers Salmon is in Seaſon throughout the Year, but the above mentioned Proviſoe, and Exception, that nothing in the ſaid Act contained ſhould extend to the ſaid Rivers, is found very Prejudicial to the reſpective Proprietors and Farmers of the ſaid ſevetal Rivers, as they are by the ſaid Proviſoe ſo far debared and prevented from having the Benefit of the Act for preſerving their Mother and Spawning Salmon, that the Forfeiture of five Pounds cannot be levied of People offending in killing the Mother or Spawning Salmon in the ſaid reſpective Rivers: For Remedy whereof, be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this

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present Parliament assembled, and by the Authority of the same, That from and after the first Day of May, One Thousand seven hundred and sixty four, no Person whatsoever, except the respective Proprietors and Farmers of the said respective Rivers and Salmon Fisheries, shall at any Time between the twelfth Day of August, and first Day of February in any Year, fish in any of the said Rivers (or in the River Earn, or Salmon Fishery of Ballyshannon, between the twelfth Day of August and the first Day of May, with any Net, Rod, or any other Instrument whereby Salmon Fish may be taken or killed, or carry a Rod, Gaff, Loop-Net, Lister or Spear, or any other Instrument, whereby Fish may be killed or taken, on the Banks of any of the said Rivers, and if any Person shall offend herein, every such Offender being thereof convicted by Confession or by the Testimony of any one credible Witness upon Oath, before some one Justice of the Peace for the County where such Offence shall be committed (which Oath such Justice of the Peace is hereby impowered and required to administer) shall for every such Offence forfeit the Sum of five Pounds Sterling, over and above the Boat and Nets, the same

to

to be levied by the Warrant of such Justice by Distress and Sale of the Offenders Goods, and to be paid to the Informer or Informers, and if no sufficient Distress can be found, the Offender shall by the like Warrant be committed to the County Goal, there to remain without Bail or Mainprize for such Time not exceeding three Months, nor less than one Month, as such Justice shall appoint, unless such Forfeiture shall in the mean Time be paid, in which Case the Offender shall be enlarged.

And whereas the several Proprietors and Farmers of the several Salmon Fisheries within this Kingdom, in general, are continually disturbed in the Property of their said several Salmon Fisheries, and such Properties, and Salmon Fisheries destroyed by several Persons on Pretence of taking smaller and other Kinds of Fish, within the Bounds of the said several Salmon Fisheries throughout this Kingdom in general: Be it therefore Enacted by the Authority aforesaid, that from and after the first Day of May, One thousand seven hundred and sixty four, no Person or Persons whatsoever (except the Proprietors and Farmers of the said several Salmon

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present Parliament assembled, and by the Authority of the same, That from and after the first Day of May, One Thousand seven hundred and sixty four, no Person whatsoever, except the respective Proprietors and Farmers of the said respective Rivers and Salmon Fisheries, shall at any Time between the twelfth Day of August, and first Day of February in any Year, fish in any of the said Rivers (or in the River Earn, or Salmon Fishery of Ballyshannon, between the twelfth Day of August and the first Day of May, with any Net, Rod, or any other Instrument whereby Salmon Fish may be taken or killed, or carry a Rod, Gaff, Loop-Net, Lister or Spear, or any other Instrument, whereby Fish may be killed or taken, on the Banks of any of the said Rivers, and if any Person shall offend herein, every such Offender being thereof convicted by Confession or by the Testimony of any one credible Witness upon Oath, before some one Justice of the Peace for the County where such Offence shall be committed (which Oath such Justice of the Peace is hereby impowered and required to administer) shall for every such Offence forfeit the Sum of five Pounds Sterling, over and above the Boat and Nets, the same

to

to be levied by the Warrant of such Justice by Distress and Sale of the Offenders Goods, and to be paid to the Informer or Informers, and if no sufficient Distress can be found, the Offender shall by the like Warrant be committed to the County Goal, there to remain without Bail or Mainprize for such Time not exceeding three Months, nor less than one Month, as such Justice shall appoint, unless such Forfeiture shall in the mean Time be paid, in which Case the Offender shall be enlarged. CHAP. XXXV.

And whereas the several Proprietors and Farmers of the several Salmon Fisheries within this Kingdom, in general, are continually disturbed in the Property of their said several Salmon Fisheries, and such Properties, and Salmon Fisheries destroyed by several Persons on Pretence of taking smaller and other Kinds of Fish, within the Bounds of the said several Salmon Fisheries throughout this Kingdom in general: Be it therefore Enacted by the Authority aforesaid, that from and after the first Day of May, One thousand seven hundred and sixty four, no Person or Persons whatsoever (except the Proprietors and Farmers of the said several Salmon

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Fiſheries, and their ſeveral and reſpective Fiſhermen) ſhall make Uſe of any Boat, or fiſh with any Net or Nets, of any kind, that hath or ſhall have a Sole, Rope, or Ropes, with Sinks of any kind thereunto fixed, or make uſe of any other Inſtrument whatſoever for taking or killing of Salmon within the Limits of the ſaid ſeveral Salmon Fiſheries throughout this Kingdom, and if any (except the ſaid Proprietors and Farmers, and their Fiſhermen, by them reſpectively employed) ſhall Offend herein, every ſuch Offender, being thereof convicted as aforeſaid, ſhall forfeit the Sum of five Pounds Sterling, together with the Boat or Boats, Net or Nets, with all and every other Inſtrument made uſe of in committing ſuch Offence, the ſame to be recovered and diſpoſed of in Manner hereinbefore directed; and that the Limits and Bounds of all and every Salmon Fiſhery in this Kingdom, is and are hereby deemed and underſtood to be ſuch as have been ſeverally and reſpectively held, poſſeſſed, and enjoyed, by the ſeveral and reſpective Proprietors, and the ſeveral and reſpective Farmers deriving under them, for Thirty-one Years paſt.

And

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And whereas the Proprietor and his Tenants and Farmers of the Salmon Fishery of Sligo are continually disturbed in the Property of the said Salmon Fishery: Be it Enacted by the Authority aforesaid, That from and after the first of Day May One thousand seven hundred and sixty four, no Person whatsoever (except the Proprietor, his Tenants and Farmers, of the Salmon Fishery aforesaid) shall make Use of any Boat, or of any Net or Nets that will have a sole Rope with Sinks affixed thereunto, nor of any other Instrument whatsoever, wherewith Salmon may be taken or killed in the said River, from the Salmon Wear, above the Town of Sligo, down to the Oyster Island; and if any Person shall offend herein, every such Offender for every such Offence, shall forfeit the Sum of five Pounds Sterling, together with the Boat or Boats, Net or Nets, and all other Sorts of Instruments used by them in such Offence, to be recovered and disposed of in Manner herein before mentioned.

And whereas in the River of Loughfoyle in the Counties of London-Derry, Donegal, and Tyrone, Salmon Fish in the Months of July and August are known to be in the

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greateſt Plenty and higheſt Seaſon: Be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Proprietors of the ſeveral Fiſheries in the ſaid River of Loughfoyle, and for the Perſons employed by or acting under them to continue to fiſh until the firſt Day of September in every year, henceforward; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

CHAP. XXXVI.

AN

ACT

FOR

Making more convenient the Approaches to the City of *Dublin*, by making a New Turnpike Road on the South Side, the West Side, and the North Side of the ſaid City, to commence at the Road leading from *Dublin* to *Donnybrook*, and to terminate at *Cavendiſh Street*.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.

A C T

AN

ACT

FOR

Making more convenient the Approaches to the City of *Dublin*, by making a New Turnpike Road on the South Side, the Weſt Side, and the North Side of the ſaid City, to commence at the Road leading from *Dublin* to *Donnybrook*, and to terminate at *Cavendiſh Street*.

CHAP. XXXVI.

WHEREAS the Approaches to the City of Dublin are at preſent very inconvenient to His Majeſty's Subjects, and the making a New Road on the South

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Side, the West Side, and the North Side of the said City, will in a great Measure remove such Inconvenience, by opening a safe and easy Communication between the Great Western, Southern, and Northern Roads of this Kingdom, and the Different Parts of the City of Dublin, whereby great Utility and Benefit will arise, not only to the Inhabitants of the City of Dublin, but to the Inhabitants of the several adjacent Counties, and to the Publick in general; the Principal Avenews leading to the City will thereby be enlarged, the Pavements of the Streets will be much preserved, and the many Obstructions therein by Carriages in a great Measure removed, but for as much as the several Purposes aforesaid, cannot be answered and carried into Execution, unless Provision is made by a Toll, or otherwise, for the purchasing or hiring of the several Proprietors, a Passage through their Lands, and for the better enabling the Trustees hereafter named, to make a Sufficient and Commodious Road from, to, and through the Places before mentioned, and for keeping the same in constant Repair for the future; be it therefore Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That for the better making, surveying, ordering, amending, and keeping in Repair the said Road his Grace the Lord Primate, the Archbishop of Dublin, Lord Chancellor, Marquiss of Kildare Earl of Meath, Earl of Tyrone, Earl of Shannon, Earl of Miltown, Earl of Charlemont, Lord Fitz-William, Lord Palmerstown, Lord Jocelyn, Lord Powerscourt, Lord Brabazon, Lord Newtown, Lord Boyle, Lord Howth, the Speaker of the House of Commons, Lord chief Justice Flood, the Right Honourable Lord chief Justice Aston, Lord chief Baron Willes, Arthur Trevor Esquire, Nathaniel Clements Esquire, Anthony Malone Esquire, William Henry Fortescue Esquire, Charles Gardiner Esquire, Sir Compton Domvile Baronet, Hercules Longford Rowley Esquire, Benjamine Burton Esquire, Thomas Conolly Esquire, Sir William Fownes Baronet, Francis Andrews Esquire, Phillip Tisdal Esquire, Mr. Prime Serjeant, Mr. Solicitor General, Henry Monk Esquire, John Bourke Esquire, Bellingham Boyle Esquire, Lord Mayor, Recorder, and Sheriffs of the City of Dublin, Members of Parliament for the City and County of Dublin for the

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Time being, Edmond Sexton Pery Esquire, Colonel Robert Cunningham, Agmondisham Vesey Esquire, Henry Mitchell Esquire, Anthony Forster Esquire, Redmond Morres Esquire, Mr. Serjeant Patterson, John Hatch Esquire, Honourable John Butler Esquire, Lucius O'Brien Esquire, John Monk Mason Esquire, John Fitz Gibbon Esquire, Thomas Waite Esquire, Thomas Eyre Esquire, Thomas Cobb Esquire, Henry Lyons Esquire, Hamilton Gorges Esquire, Graves Chamney Esquire, Thomas Monk Esquire, Eyre Trench Esquire, Arthur Pomeroy Esquire, Colonel Richard Fitzgerald, John St. Leger Esquire, John Damer Esquire, John Magill Esquire, Maurice Copinger Esquire, Doctor Clement, Colonel John Pomeroy, Henry Sandford Esquire, William Harward Esquire, Thomas Lehunt Esquire, Charles O'Hara Esquire, Edward Nicholson Esquire, John Parnel Esquire, Honourable Barry Maxwell Esquire, James Smith Esquire, Collector of Dublin, James Forteſcue Esquire, Michael Dally Esquire, Robert Fitzgerald Esquire, Peter Holmes Esquire, Robert Patrick Esquire, and George Hart Esquire, and all his Majesty's Justices of the peace for the County of Dublin, and the City of Dublin, shall be nominated, constituted, and appointed Trustees for making and keeping in Repair the

the said Road, and for putting into Execution the several Powers and Authorities mentioned and contained in this Act.

And be it Enacted by the Authority aforesaid, That the said Trustees, and such other Person and Persons as shall hereafter be appointed Trustees in pursuance of this Act, or any seven or more of them, shall have full Power and Authority, and they are hereby authorized, and impowered, and required, to open and make and to keep in repair, during the Term hereafter mentioned, a new Road on the the South Side, the West Side, and North Side of the said City, to begin and commence at the little Bridge opposite the North West Angle of Lord chief Justice Aston's Wall, upon the Road leading from Dublin to Donnybrook, from thence to a Pair of Stone Piers leading into Swans Gardens upon the Milltown Road, from thence to cross the Rathmines Road, leaving Portobello on the South, from thence to Castle-rag Lane into the Rathfarnham Road, from thence through Roper's Rest, Watergate Fields, Rahober Lane into Dolphin's Barn Road, from thence through the Commons of Kilmainham to the House

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called Foxes Houſe, from thence to Golden Bridge on the Road leading from Kilmainham to the Turnpike on the Rathcoole Road, and from Golden Bridge in a ſtreight Line to the Road leading from Dublin to Inchicore, and from thence to croſs the River Anna Liffey, and to be continued to the Road leading from Dublin to Finglaſs, in ſuch Direction as the ſaid Truſtees or any fifteen or more of them ſhall deem moſt Convenient for the Publick, and leaſt Injurious to private Property, and to be continued a croſs the ſaid Road into Mc Doneil's Lane leading into Dorſet Street, and from thence to proceed in a ſtraight Line into Cavendiſh Street, and to open a Paſſage to and make wide the ſaid Lane, and all other parts of the ſaid Road, in ſuch Manner as they the ſaid Truſtees or any ſeven or of them ſhall think moſt Convenient, which ſaid Roads, and the ſaid Lane ſo to be made wide and opened, ſhall be ſixty Feet wide at the leaſt, and for that Purpoſe, the ſaid Truſtees may and are hereby authorized and impowered to pull down and remove ſuch Buildings, and lay into the ſaid Roads ſuch parts of the Lands and Grounds through which the ſaid Road ſhall paſs, as they, or any ſeven

ven or more of them shall think necessary, first making reasonable Satisfaction to the Person who shall sustain any Damage thereby, in such Manner as is hereafter mentioned: Provided that no Dwelling-houses or Offices, or Gardens thereunto belonging, shall be immediately pulled down or passed through, without the Consent of the Owner or Owners.

Provided always, That no Part of the new intended Road, from the Road leading to Inchicore and ending in Cavendish Street, shall be carried through any Part of the Estate of the Right Honourable the Lord Palmerstown, or of Henry Monk Esquire, without their Consent, or the Consent of their Respective Heirs previously had, the said Lord Palmerstown and Henry Monk being the only Persons who have petitioned against the said Heads of a Bill.

Provided always, That it shall and may be lawful for the said Trustees, to make distinct and seperate Mortgages of the Tolls of the Southern and Northern Line, and also to carry on the same as different Works, and by and out of distinct

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tinct and ſeparte Funds, if they ſhall think proper.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any ſeven or more of them, or ſuch Perſon or Perſons as they, or any ſeven or more of them, ſhall authorize and appoint, ſhall and may erect or cauſe to be erected, one or more Gate or Gates, Turnpike or Turnpikes, in, upon, or acroſs any part or parts of the ſaid Roads or Lanes, and alſo a Toll-Houſe or Toll-Houſes, and there ſhall demand, receive, and take the Tolls and Duties following, before any Horſe, Mare, or Gelding, Cattle, Coach, Berlin, Chariot, Calaſh, Chair, Waggon, Waim, Cart, Carr, or other Carriage ſhall be permitted to paſs the ſame, viz. for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by ſix Horſes or Beaſts of Burthen, or more, the Sum of one Shilling; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by leſs Number than ſix and more than two, the Sum of nine Pence; for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by two Horſes ſix Pence; for every Waim, Cart, or Carriage with four Wheels, the Sum of

of two Shillings and six Pence; for every Wain, Cart, or Carriage with two Wheels, having more than one Horse, Mare, Gelding, or Beast of Burthen, the Sum of three Pence; for every Cart or other Carriage having but one Horse, Mare, Gelding, or Beast of Burthen, the Sum of one Penny Half Penny; for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen and not drawing, one Penny; for every Drove of Oxen or neat Cattle, the Sum of ten Pence per Score, and so in proportion for any greater or lesser Number; for every Drove of Calves, Hoggs, Sheep, or Lambs, the Sum of five Pence per Score, and so in proportion for any greater or lesser Number; for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, every Cart, Cart, or other Carriage, and for every Horse, Mule, or other Beast, and all Cattle travelling on Sundays at any Time between Sun rise and Sun set, double the Toll to which they are hereby made liable on any of the other six Days, which said respective Sum and Sums of Money shall be demanded and taken in the Name of, or as a Toll or Duty, and the Money so to be raised as aforesaid, is and shall hereby be Vested in the said Trustees, and the same and e-

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very Part thereof shall be paid, applied, and disposed of, and assigned to and for the several Uses, Intents, and Purposes, and in such Manner as is herein after mentioned and directed, and the said Trustees are hereby impowered by themselves, or any Person or Persons by them, or any sevtn or more of them, under their Hands and Seals thereunto authorized, to levy the Toll or Duty hereby required to be paid upon any Person or Persons who shall after demand made thereof, neglect or Refuse to pay the same, by distress of any Horse or Horses, or any Cattle or Goods, upon which such Toll or Duty is by this Act imposed, or upon any other of the Goods and Chattles of such Person or Persons who ought to pay the same, and may detain and keep the same until such Toll or Duty with the reasonable Charges of such distraining or keeping shall be paid, and it shall and may be lawful to and for such Person and Persons so distraining, after the Space of five Days after such Distress made and taken, to sell the Goods so distrained, returning the Overplus (if any be) upon demand to the Owner thereof, after such Toll, Duty, and reasonable Charges for distraining and

and keeping the ſame ſhall be deducted and paid. CHAP. XXXV.

Provided allways, and be it further Enacted by the Authority aforeſaid, That no Perſon ſhall be liable to pay Toll more than once, who ſhall paſs, repaſs, or return through all or any of ſuch Turnpikes to be erected by the Authority of this Act the ſame Day to be computed from Twelve of the Clock at night, to twelve of the Clock in the ſucceeding Night, with the ſame Coach or other Carriage, Horſe, or other Cattle, and ſhall produce a Ticket, that the Toll was paid at any of the ſaid Turnpikes, which Note or Ticket the Receiver or Receivers, Collector or Collectors, is, and are hereby required to give gratis, upon Receipt of the ſaid Toll; and if any Perſon having paid Toll, and having ſuch Note or Ticket, as is hereby directed to be given, ſhall give, offer, or diſpoſe of the ſame, to any other Perſon or Perſons, or ſhall alter the ſame in order to avoid the Payment of any of the ſaid Tolls, every ſuch Perſon giving, offering, diſpoſing, or altering of ſuch Note or Ticket, and the Perſon receiving and making Uſe thereof ſhall reſpectively forfeit and pay the Sum of ten Shillings.

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And be it further Enacted by the Authority aforesaid, That out of the first Money arising from the Profits of the several Turnpikes so to be erected, or out of any Money borrowed, or to be borrowed on the Credit of this Act, the said Trustees, or any seven or more of them, shall first pay and discharge the Expence of procuring this Act of Parliament, and of making the said new Road, and of paying for the Purchase of Grounds and Houses, and of making Compensation for Damages as by this Act is directed, and of erecting such Turnpike or Turnpikes, or building such Toll-house or Toll-houses, and from and after such Charges and Expences shall be fully satisfied and paid, that then and from thenceforth the Profits arising, and the Toll to be Collected at each and every such Turnpike or Turnpikes, to be erected and set upon the said new Road, shall be applied for and towards the Repair of the said Road only, and not otherwise.

And be it further Enacted by the Authority aforesaid, That the several Trustees herein before named, or any seven or more of them, shall be and are hereby authorized and impowered from Time to Time, to treat,

treat, contract, and agree with the several Owners, Proprietors, Occupiers of, and Persons interested in any Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, for the Purchase thereof, or by Way of annual Rent for the same, or otherwise, as the said respective Trustees or any seven or more of them shall think fit, and likewise for the loss or Damage such Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall or may any Ways respectively sustain by such opening, making, and repairing the said new intended Road, and out of the Tolls collected or to be collected by Virtue of this Act, or out of any Money borrowed, or to be borrowed on the Credit of this Act, to pay for the Purchase of such Lands, Tenements, Houses, Buildings, Grounds or Hereditaments, or for such Loss or Damage, such Sum or Sums of Money or annual Rent, as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested as aforesaid, and the said respective Trustees, or any seven or more of them respectively, and also the Costs and Charges attending such Agreements and Purchases respectively.

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And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations aggregate or sole, and all Feoffees in Trust, Executors, Administrators, Guardians, Committees, or other Trustees whatsoever, for, or on behalf of any Infants, Femes Covert Lunaticks, Ideots, or Cestuique Trusts, and for all and every Person or Persons whomsoever, who are or shall be seized, possessed of, or interested in any wise, in any such Lands, Tenements, Houses, Buildings, Grounds or Hereditaments, to treat, contract, and agree with the said respective Trustees, or any seven or more of them, for the Purchase of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, through which such new intended Road shall pass, or of their Interest therein, for the Purposes aforesaid, and to sell and convey the same to the said Trustees, or to such Person or Persons in Trust for them, in such Manner as the said respective Trustees, or any five or more of them shall direct, and as Occasion shall be and require, and all Contracts, Agreements, Sales and Conveyances, which shall be so made shal be valid to all Intents and Purposes;

Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the Contrary thereof in any wiſe notwithſtanding, and all Feoffees in Truſt, Executors Adminiſtrators, Guardians, Committees, and Truſtees, Corporations aggregate or ſole, and all other Perſons are and ſhall be hereby indemnified for what they ſhall do, by Virtue of, or in Purſuance of this Act.

And be it further Enacted by the Authority aforeſaid, That if any ſuch Owner, Proprietor, Occupier, Truſtee or Truſtees, Committee or Committees, Bodies Politick, Corporate or Collegiate, aggregate or ſole, or any other Perſon or Perſons in any wiſe intereſted in any ſuch Lands, Tenements, Buildings, Houſes, Grounds, or Hereditaments, upon fourteen Days notice to them given, or left in Writing at the dwelling Houſe or Houſes, or Place or Places of Abode of ſuch Perſon or Perſons, or of the head Officer or Officers of ſuch Body Politick, Corporate, or Collegiate, aggregate or ſole, or at the Houſe of the Tenant in Poſſeſſion of ſuch Lands, Tenements, Houſes, Buildings, Grounds, and Hereditaments, ſhall neglect or refuſe to treat, or ſhall not agree for the Purchaſe of any ſuch Lands, Tenements, Houſes, Buildings,

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ings, Grounds, and Hereditaments, or any Part or Parts thereof, or for their Interest therein, or for any annual Rent to be paid for the same, or by reason of Absence shall be prevented from Treating as aforesaid, then and in such Case the said respective Trustees, or any seven or more of them, shall cause it to be enquired into, and ascertained by, and upon the Oath of a Jury of twelve indifferent Men of the County of Dublin, which Oath any three or more of such respective Trustees are hereby impowered and required to administer, what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or Proprietors, or other Person or Persons interested for, or upon Account of the Opening or Making such Road; and in Order thereunto, the said respective Trustees, or any seven or more of them respectively, are hereby impowered and required from Time to Time, as there shall be Occasion, to summon and call before the said Jury, and examine upon Oath all Persons whatsoever who shall be thought Necessary or proper to be examined as Witnesses touching or concerning the Premisses (which Oath any three or more of such respective Trustees are hereby impowered and required to administer) and if any of the Parties interested shall request the same,

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same, shall also cause the said Jury to view the Place or Places in Question, and shall use all other lawful Ways and Means, as well for their own as for the said Juries better Information in the Premisses, in such Manner as they the said respective Trustees, or any seven or more of them, respectively shall think fit; and after the said Jury shall have so enquired of, ascertained, and settled such Damage and Recompence, they the said Trustees, or any seven or more of them, shall thereupon order and adjudge the Sum or Sums of Money so assessed by the Jury for such Purchases, or such annual Rents as aforesaid, to be paid to the Persons interested in such Lands, Tenements, Buildings, Houses, Grounds or Hereditaments, according to the Verdict and Inquisition of such Jury, which said Verdict or Inquisition, and the Order and Adjudication so had and made, shall be final and conclusive, to all Intents and Purposes, against all Parties or Persons whatsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs, Executors, or Administrators and Successors respectively, as well absent as present, Infants, Femes Covert, Lunaticks, Ideots, and Persons under any other Disability whatsoever, Bodies Politick, Corporate,

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porate, or Collegiate, aggregate, or sole, as well as other Person or Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons interested in such Lands, Tenements, Buildings, Houses, Grounds, or Hereditaments, so purchased as aforesaid, shall thereby be from thenceforth to all Intents and Purposes divested of all Right, Claim, Interest or Property of, into, or out of the same, and for the summoning and returning of such Jury and Juries, the said respective Trustees or any seven or more of them are hereby impowered from Time to Time, to issue their Warrant or Warrants to the Sheriff of the said County, thereby requiring him to impannel, summon, and return an indifferent Jury of twenty four Persons, to appear before the said respective Trustees, or any seven or more of them, at such Time and Place as in such Warrant shall be appointed, of which Time and Place all Parties interested shall have fourteen Days notice given or left in Manner aforesaid, and the said Sheriff is hereby required to impannel, summon, and return, such Twenty four Persons accordingly, and out of the Persons so impannelled, summoned and returned, or out of such of them as shall

ſhall appear, accoꝛding to, oꝛ upon ſuch ſummons, the ſaid Truſtees, oꝛ any ſeven oꝛ moꝛe of them, ſhall cauſe to be ſwoꝛn twelve, who ſhall be the Jury foꝛ the Purpoſes afoꝛeſaid, and foꝛ Default of a ſufficient Number of Jury-men, the ſaid Sheriff ſhall return ſo many of the Standers by, as ſhall be neceſſary to make up the Number of Twelve to ſerve on ſuch Jury.

Provided allways, and be it further Enacted by the Authority afoꝛeſaid, That all Perſons concerned ſhall from Time to Time have their lawful Challenges (but not to Challenge the Array of the Pannell) againſt any of the ſaid Jurymen when they come to be ſwoꝛn, and the ſaid reſpective Truſtees, oꝛ any ſeven oꝛ moꝛe of them, acting in the Pꝛemiſſes, ſhall have Power from Time to Time to impoſe any reaſonable Fine oꝛ Fines on ſuch Sheriff, Bailiffs, oꝛ Agents, making default in the Pꝛemiſſes, and on any of the Perſons that ſhall be ſummoned and returned on ſuch Jury, and ſhall not appear oꝛ refuſe to be ſwoꝛn on the ſaid Jury, oꝛ to give their Verdict in any Manner, wilfully neglecting their Duty therein, contrary to the true Intent and

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Meaning of this Act, and on any of the Persons who, being required to give Evidence touching the Premisses, shall refuse to be examined or give Evidence, and from Time to Time to issue their Warrant to levy such Fine and Fines of the Goods and Chattles of such Person and Persons so fined, so as that no such Fine shall exceed the Sum of forty Shillings upon any one Person, for any one Offence.

Provided allways, and be it further Enacted by the Authority aforesaid, That the Recompence or Satisfaction which shall be made to His Majesty, His Heirs and Successors, Bodies Politick, Corporate or Collegiate, Corporations, aggregate or sole, or any other Person or Persons whose Lands are limitted in Strict Settlement, their Heirs, Executors, Administrators or Successors, Issue or Lessee, respectively, for the Ground which shall be taken by the said Trustees, in order to make such Road as aforesaid, may be by Way of Annuity or annual Rent, or by a Sum to be paid in Gross, either out of the Tolls, or the Money to be borrowed on the said Tolls, at the Discretion of the said Trustees, or any seven or more of them.

And

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And be it further Enacted by the Authority aforesaid, That all such Sums of Money, Consideration Rent, Recompence or Satisfaction, as shall be agreed for or assessed as aforesaid, for the Purchase or Hire of such Ground so to be taken and made Part of the said New Road, shall be, and is, and are hereby charged and Chargeable upon the Tolls belonging to the said New Road, and shall be paid thereout, or out of the Monies borrowed upon the Credit of the same, to the respective Persons intitled thereto, and that upon Payment of such Sum or Sums, which shall be so assessed for such Lands, to be purchased as aforesaid, or tender thereof, and refusal to accept the same, or in case any such Person or Persons after six Days Notice to be given to him, her, or them, or left at the House of the Occupier of the Premisses, shall refuse or neglect to receive the same, then upon leaving the same in the Hands of the Treasurer to the said respective Trustees, to be paid upon demand to such Person or Persons, or after such Annuity or annual Rent shall be so assessed as aforesaid, it shall and may be lawful for the said respective Trustees, or any seven

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or more of them, their Successors, Workmen, or Agents, to take down such Houses, Buildings, and Tenements, and to lay the ground whereon the same were erected, and also such other Grounds, Lands, or Hereditaments as aforesaid, or such Part thereof as they shall think fit, into the said New Road, and to do all and every such Act, Matter, and Thing, with relation to such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, and to Ditch, Drain and Fence, out of the same, as the said respective Trustees, or any seven or more of them shall think fit for carrying this Act into Execution, and such Lands, Tenements, Grounds and Hereditaments, after the Money so contracted and agreed for or so assessed and adjuged, for such Purchases as aforesaid, shall be paid, tendered, or left, as herein directed, and after the said Premisses shall be so ditched, drained, and fenced, or such Part thereof as the said Trustees, or any seven or more of them, shall direct, shall to all Intents and Purposes whatsoever become and be a Common Highway, and shall be repaired and kept in repair, in such Manner as is herein before and hereafter authorized and directed.

And so

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And be it further Enacted by the Authority aforesaid, That the said Annuities or Annual Rents, so to be agreed for or assessed as aforesaid, shall be paid from Time to Time, as the same shall become due, out of the Tolls of the said Road by Quarterly Payments, and in the first Place to the Person or Persons who shall be intitled thereto, the first Payment thereof to begin and be made at the End of three Kalendar Months next after such Ground shall be taken by the said Trustees as aforesaid, and such Person or Persons shall, during the Continuance of this Act, have the same Estate and Interest in such Annuities or Annual Rents, as they would have had in the said Ground in case this Act had never been made, and in Default of Payment thereof by the said Trustees within thirty Days after the same shall become due, (being demanded of the Treasurer or Treasurers for the Time being of the said respective Trustees, it shall and may be lawful for the Person or Persons who shall from Time to Time be intitled to the said Annuities, or Annual Rents, or any of them, to Commence or Prosecute one or more Actions at Law on the Case or in Debt, against the

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the Treasurer or Treasurers of the said Road, on Account of such Annuity or Annual Rent, and shall and may upon such Action or Actions recover the Money then due, together with his, her, or their full Costs of Suit, and have such Remedies for the same as are allowed by Law in other Cases, which said Money and Costs so recovered, when paid, shall be allowed to such Treasurer in his Account with the said respective Trustees.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever owning, renting, or occupying any Land near unto any Turnpike to be erected in pursuance of this Act, shall for Gain, Reward, or otherwise wittingly, or willingly, permit any Person or Persons whatsoever, to pass through any Gate, Passage, or Way, with any Coach, Berlin, Calash, Chaise, or Chair, Waggon, Wain, Cart, Carr, Carriage, or riding or driving any Horse, Ass, or Mule, or any Sort of Cattle, and be thereof convicted upon Oath before the said Trustees, or any seven or more of them, or before any one Justice of the Peace for the County of Dublin, shall forfeit and pay to the Trustees authorized to

put

put this Act in Execution, the Sum of ten Shillings to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the ſaid Truſtees, or any five or more of them, or ſuch Juſtice of the Peace, rendering the Overplus to the Owner, if any be, the Charges of taking and diſpoſing of the ſaid Goods being firſt deducted.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any ſeven or more of them, to erect one or more Gate or Gates, Turnpike or Turnpikes, on the Side of the ſaid Highway or Roads, croſs any Lane or Way leading out of the ſaid Road, and Toll-houſe and Toll-Houſes, and there to receive and take ſuch Toll as is appointed by this Act to be taken, ſo as the ſame do not extend to any of the great Roads now leading into the City of Dublin, nor to create a double Charge in caſe of paſſing through any other of the Turnpikes to be erected by virtue of this Act, between the City of Dublin and any of the adjacent Counties.

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And be it further Enacted by the Authority aforesaid, That the said Trustees or any seven or more of them, on their first Meeting or any succeeding Meeting, by Writing under their Hands and Seals, may elect, nominate, and appoint a fit Person to be Treasurer of the said Road, who is to receive the Money from the Collectors of the said Tolls, and to account for the same with the said Trustees, or any seven or more of them, and to appoint a Salary for such Treasurer, payable out of the said Tolls, not exceeding the Sum of forty Pounds Sterling by the Year, for his Trouble in such Office.

Provided allways, and be it further Enacted by the Authority aforesaid, That the said Trustees, or any seven or more of them, shall, and they are hereby required to take One thousand Pounds Security for such Treasurer so to be appointed by this Act, for the due Execution of this Office.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any seven or more of them, at their first Meeting or any succeeding Meeting, by Writing under their Hands and Seals, shall

ſhall, and may elect, nominate, and appoint one or more fit Perſon or Perſons to be Receiver or Receivers, Collector or Collectors, of ſuch Money, in the Name of ſuch Toll or Duty, as ſhall be due and payable by Virtue of this Act, and alſo one or more fit Perſon or Perſons to be Surveyor or Surveyors, to ſee the Condition of the ſaid Highway or Road, and to ſee that the ſame be repaired and amended, and that the Money ariſing and expended by Virtue of this Act be duly applied, and from Time to Time to remove ſuch Treaſurer, Collectors, Receivers, and Surveyors, or any of them, as they ſhall ſee Occaſion, and appoint new ones in Caſes of Death or of ſuch Removal, and ſuch Perſon or Perſons as is or are by this Act liable to pay the ſaid Toll or Duty, is and are hereby required to pay the ſame after the Rates aforeſaid, to the ſaid Receiver or Receivers, Collector or Collectors, of the ſaid Toll and Duty in that behalf, from Time to Time appointed as aforeſaid, and the ſaid Perſon and Perſons ſo appointed as aforeſaid for receiving the ſaid Toll or Duty, and all Surveyor or Surveyors as aforeſaid, ſhall upon Oath, if thereto required by the Truſtees, or any ſeven or more of them, or before any Juſtice of the Peace reſiding

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near the Highway or Road aforesaid, which Oath the said Trustees or any three or more of them, or such Justice of the Peace, is and are hereby impowered and required to administer, on the first Tuesday in every Month, or oftner if required, during the Continuance of this Act, give in a True and perfect Account in Writing under their respective Hands, of all Monies which he, and they, and every or any of them shall to such Time have received, paid, and disbursed by Virtue of this Act by reason of their respective Offices, for which Oath no Fee or Reward shall be taken; and in case any Money so received shall remain in their or any of their Hands, the same shall be paid to the said Trustees or any seven or more of them, or to the said Treasurer of the said Road so appointed by them as aforesaid, which Sums shall be laid out and disbursed in amending the said Highway or Roads, according to the true Intent and Meaning of this Act, and not otherwise; and the said Trustees, or any five or more of them, to whom such Account shall be given, shall, and may, out of the Money arising by the said Toll or Duty, make such Allowance unto the said Receiver or Receivers, Collector or Collectors, and the Surveyor or Surveyors, for

and

and in Conſideration of his and their Care and Pains reſpectively taken in the Execution of his and their Office and Offices, and to ſuch other Perſon or Perſons who have been, or ſhall be aſſiſting in and about procuring the ſaid Highways and Roads to be amended and repaired, by advancing and laying out any Money, or otherwiſe relating thereunto, as to them ſhall ſeem good, and in caſe the ſaid Receiver or Receivers, Collector or Collectors, of the aforeſaid Toll or Duty or any of them, ſhall not make ſuch Account and Payment unto ſuch Treaſurer as aforeſaid, that then any two or more Juſtices of the Peace of the ſaid County of Dublin, ſhall at the Inſtance and Requeſt of the ſaid Truſtees, or any five or more of them, or of the ſaid Treaſurer, make Enquiry of and concerning ſuch Default, as well by Confeſſion of the ſaid Parties themſelves, as by the Teſtimony of one or more credible Witneſs or Witneſſes upon Oath, which Oath they are hereby impowered and required to adminiſter without Fee or Reward, and if any Perſon or Perſons ſhall be convicted thereof by ſuch Juſtices, the ſaid Juſtices ſhall upon ſuch Conviction, commit the Party or Parties to the common Goal of the County where ſuch Of-

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fence shall be committed, there to remain without Bail or Mainprize, until he or they shall have made a True and perfect Account and Payment as is aforesaid.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor and Surveyors, and such Person and Persons as he or they shall appoint, to dig, raise, gather, take, and carry away any Gravel, Furze, Sand, Stones, or other Materials out of any Waste, or Common, of any Parish, Town, Village, or Hamlet, in or near which any founderous or ruinous Places of the said Highways or Roads do lye, and for want of sufficient Gravel, Furze, Sand, Stones, or other Materials there to dig, gather, raise, take, and carry away the same, out of the Waste or Common of any neighbouring Parish, Town, Village or Hamlet, without paying any thing for the same; and where there is not sufficient of such Materials in any Commons or waste Grounds near adjoining, it shall and may be lawful by order of the said Trustees, or any five or more of them, to dig, raise, and gather the same, in the several Grounds of any Person or Persons, not being

being a Garden, Orchard, Yard or Meadow, planted Walk or Walks, or Avenue to a House, where any such Materials are or may be found, and from Time to Time to carry such and so much thereof, as the said Surveyor or Surveyors in their respective Places shall judge necessary, for the repairing and amending the said Highways or Roads, paying such Rates for such Materials to the Owner or Occupier of the Ground, from which the same shall be digged, raised, gathered, and carried away, as the Trustees appointed to put this Act in Execution shall adjudge reasonable; and in case of any Difference between such Owner or Occupier, and the said Trustees touching the Damage aforesaid, the Justices of the Peace at the next general Quarter Sessions to be held in and for the County of Dublin, may and shall adjudge, assess, and finally determine the same.

And be it further Enacted by the Authority aforesaid, That the said Trustees or any seven or more of them, may borrow Money on the Credit of the Tolls to them granted by this Act, and may apply the same in defraying the Expences of obtaining and carrying this Act into Ex-

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ecution, and assign over the said Toll or any part thereof, by writing under their or any seven or more of their Hands and Seals, for any Time or Term during the Continuance of this Act, as a Security for any Sum or Sums of Money to be advanced, or lent to them on the Credit thereof, payable to such Person and Persons who shall so lend the same, with such rate of Interest, not exceeding the legal Interest by the Hundred, as the said Trustees or any seven or more of them shall by Writing under their Hands and Seals, Promise or agree to pay for the said Money so to be borrowed on the Credit of the said Tolls, which Interest shall be paid half yearly by the Treasurer of the said Road, according to the Agreement of the said Trustees, or any seven or more of them, as aforesaid.

And be it further Enacted by the Authority aforesaid, That no part of the Lands which shall be purchased by the Authority of this Act, for making any part of the said Road, or any part of the Lands through which the said Road shall pass, shall be made use of for the erecting of any Building whatsoever, other than of such Toll-houses, as may be erected by

order

order of the said Trustees, and that no Building whatsoever, except such Toll-House, shall be erected within Twenty-five Feet of the said Road on either side, and that no Building whatsoever, except Houses whose Walls shall be seventeen Feet high at the least, and built of Stone or Brick, with Lime, Mortar, and well sashed and sleated, shall be erected within eighty Feet of the said Road on either Side: Provided that this shall not extend to the necessary Offices, and Inclosures belonging to such House, and that no Part of the said new Road shall be paved without a Warrant first obtained for that Purpose, under the Hands and Seals of the said Trustees, or any seven or more of them, and if any such Buildings shall be hereafter erected, or if any Part of such new Road shall be paved contrary to the true Intent and Meaning of this Act, the same shall be deemed common Nuisances.

And be it further Enacted by the Authority aforesaid, That no Person or Persons keeping any Inn, Ale-house, or other House of publick Entertainment, or who shall sell Ale, Wine, Brandy, or other Spirituous Liquors, shall be capable of

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taking, holding, or enjoying any Place or Places of Trust or Profit under this Act.

And be it further Enacted by the Authority aforesaid, That the Toll or Duty hereby granted, shall take place, and have continuance only, from and after the first Day of May, in the Year of our Lord One thousand seven hundred and sixty four, and during the Term of Forty-one Years.

And be it further Enacted by the Authority aforesaid, That for the continuing a sufficient Number of fit and able Persons to be Trustees, for putting in Execution all and every the Powers in this Act contained, and for and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any seven or more of them, upon the Death of any of the said Trustees, or removal, or refusing to Act in the said Trust by any Writing or Writings under their Hands and Seals, from Time to Time, and at all Times hereafter, during the Term aforesaid, to elect, nominate and appoint, in the Room of such Trustee or Trustees so deceased, removed, or refusing to Act, so

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so many more fit and able Person or Persons living in the said County of Dublin, or City of Dublin, to be joined with the said Trustees in the Execution of all and every the Power and Powers in them reposed by Virtue of this Act, and all and every Person or Persons so to be chosen Trustee or Trustees, to join in putting this Act in Execution, shall and may, and they are hereby impowered to Act to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees are by this Act impowered to do, and so toties quoties, as often as Occasion shall be or require.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any seven or more of them, shall meet at Kilmainham in the County of Dublin, the first Day of June, in the Year of our Lord One thousand seven hundred and sixty four, and the said Trustees shall then adjourn themselves, and afterwards meet there, or at any other Place or Places near the said intended new Road, as the said Trustees, or any seven or more of them shall think proper or convenient as often as it shall be necessary for putting this Act in Execution, and if it

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shall happen, that there shall not appear at any Meeting which shall be appointed to be had or held by the said Trustees, a sufficient Number of Trustees to Act at such Meeting, and to adjourn to any other Day, then and in such Case the Clerk or Treasurer to the said Trustees by Notice in Writing to be affixed at the respective Gates, or Turnpikes, at least ten Days before the next Meeting, shall appoint the said Trustees to meet at the House where the Meeting of the said Trustees was last appointed to be held, or at some other convenient House near the said intended new Road, on such Day as shall be mentioned in the said Notice, and the said Trustees at their first Meeting, and at all their subsequent Meetings, shall defray their own Charges and Expences.

Provided allways, and be it further Enacted by the Authority aforesaid, That no Person or Persons appointed or to be appointed Trustees for putting this Act in Execution, shall have or accept of any Place of Profit arising out of or by reason of the Toll or Dury by this Act laid, or granted, but such Person or Persons shall be incapable from the Time of accepting and

and continuing to enjoy such Place of Profit of acting as a Trustee. CHAP. XXXVI.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any seven or more of them, shall have full Power and Authority to cause such Part or Parts of the said new Road to be well watered when there shall be Occasion, and to be done in such Manner as the said Trustees, or any seven or more of them, shall direct, and to defray the Expences arising thereby, out of the Tolls collected or to be collected by the Authority of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, that in every such Case, the Action or Suit shall be commenced within six Kalendar Months next after the Fact shall be committed, and not afterwards, and shall be laid in the said County of Dublin, and not elsewhere, and the Defendant or Defendants in such Action or Actions to be brought, shall and may plead the general Issue, and give this Act and

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the special Matter in Evidence at any Tryal to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, or that such Action or Suit was brought after the Time before limited, or in any other County or place than in the said County of Dublin, that then the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if on any Demurrer Judgment shall be given against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

And be it further Enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

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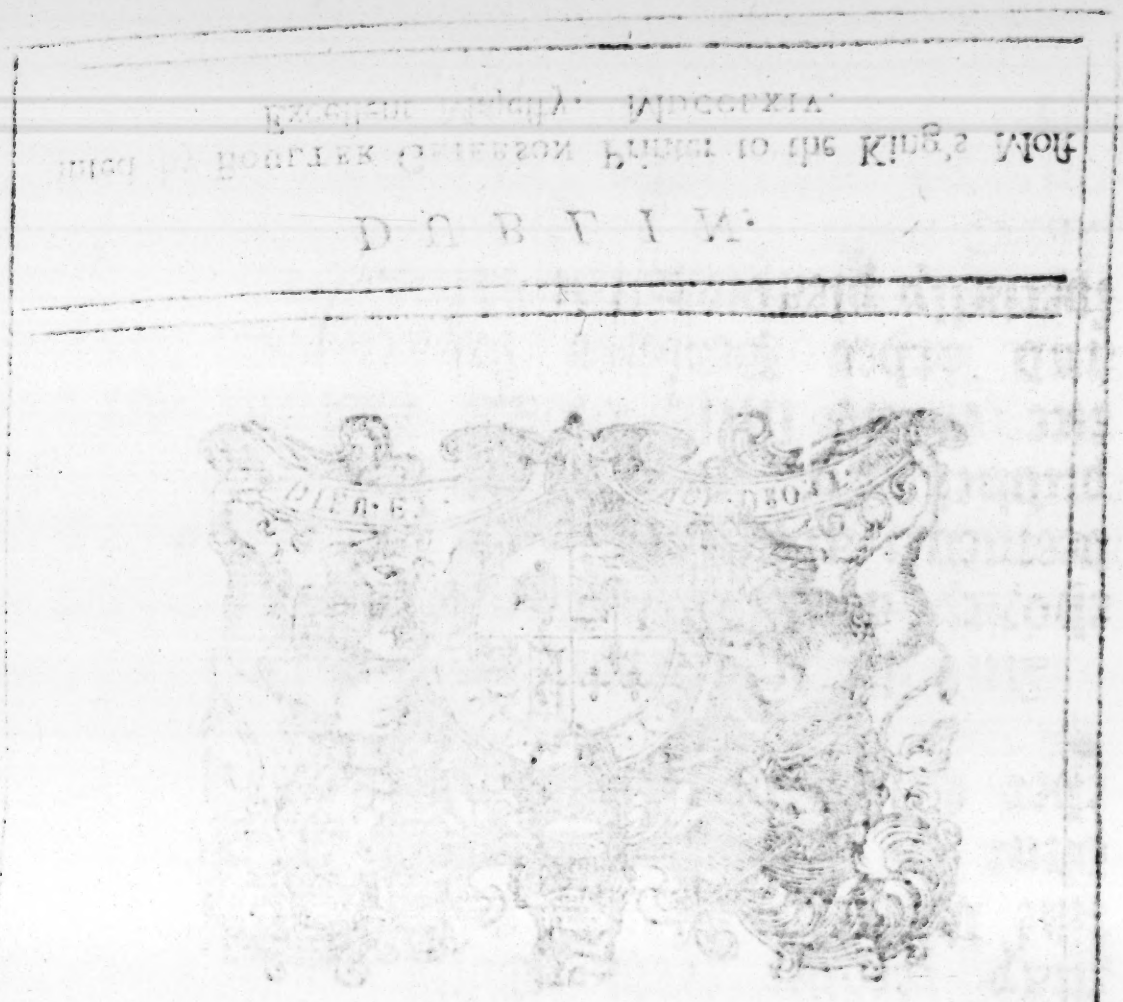
FOR

Reviving, Continuing, and Amending an Act paſſed in the Seventh Year of the Reign of His late Majeſty King *George* the Second, *intituled*, An Act for repairing the Road leading from the Town of *Kinnegad* in the County of *Weſtmeath*, to the Town of *Athlone* in the ſaid County.



DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXIV.



AN ACT

FOR

Reviving, Continuing, and Amending an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Second, *intituled*, An Act for repairing the Road leading from the Town of *Kinnegad* in the County of *Westmeath*, to the Town of *Athlone* in the said County.

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CHAP. XXXVII

WHEREAS by an Act passed in the Seventh Year of the Reign of His late Majesty King George the Second, Intituled, An Act for repairing the Road leading from the Town of *Kinnegad* in the

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County of *Westmeath*, to the Town of *Athlone* in the said County; **Several Tolls and Duties were granted and made payable for repairing the said Road: And whereas the Trustees appointed to put the said Act into Execution, have borrowed several Sums of Money on the Credit thereof, which still remain unpaid, and have applied the same, together with the Tolls and Duties collected by Virtue of the said Act, for the Uses and Purposes therein directed: And whereas the said Act was to commence and did commence on the first Day of May in the Year of Our Lord One thousand seven hundred and thirty four, and from thence to continue in force during the Term of Thirty-one Years, and the said Road cannot effectually be kept in Repair, or the Money so borrowed, or any Sum of Money which shall be hereafter borrowed for the Use of the said Road, be repayed without some further Provision to be made for that Purpose; Be it therefore Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That the said Act made in the Seventh Year**

Year of the Reign of His late Majesty King George the Second, intituled, An Act for repairing the Road leading from the Town of *Kinnegad* in the County of *Westmeath*, to the Town of *Athlone* in the said County, and all and every the Powers, Authorities, Articles, Clauses, and Penalties therein contained, shall be and remain in full Force and Effect from and after the Expiration of the said Term of Thirty-one Years, for and during the further Term of Thirty-one Years, for the Intents and Purposes in the said Act, and herein after mentioned, as fully and effectually to all Intents and Purposes, as if the said Powers, Authorities, Articles, Clauses, and Penalties, granted and given by the said Act, were herein again repeated and reenacted in the Body of this present Act; any thing in the said former Act contained to the contrary thereof notwithstanding. CHAP. XXXVII

And be it Enacted by the Authority aforesaid, That the surviving Persons nominated and appointed in and by the said former Act, the Person and Persons elected and appointed by Virtue of the said former Act, and also all his Majesty's Justices of the Peace for the County of Westmeath, shall be Trustees for putting

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the said former Act and this present Act in Execution, and all the Powers and Authorities therein and herein given and enacted, to all Intents and Purposes, as if they had been named in this Act; and in case any of the Trustees named in or elected, nominated, or appointed by Virtue of the said former Act, shall happen to die, or refuse to act, that then it shall and may be lawful to and for the said Trustees, or any five or more of them, during the Continuance of the said former Act, or of this present Act, to elect, nominate, and appoint in the Room of such Person or Persons so dying or refusing to Act, so many more fit and able Person and Persons residing in the said County of Westmeath, to be joined with them, and to be Trustees for the Execution of the said former and this present Act; and all and every Person and Persons so elected, nominated, and appointed, shall and may, and are hereby impowered to act as Trustees to all Intents and Purposes, as the said Trustees by the said former Act are impowered to do, and so from Time to Time, as often as there shall be Occasion.

And

And be it Enacted by the Authority aforesaid, That out of the Profits to arise by the Tolls and Duties to be collected pursuant to the said former Act, the said Trustees, or any five or more of them, shall first pay and discharge the Costs and Expences of obtaining this Act of Parliament, and from and after such Costs and Expences shall be fully paid and satisfied, that then and from thenceforth the Tolls and Duties made payable by the said former Act and by this present Act, shall be applied to and for the same Uses and Purposes as are directed and appointed of and concerning the same in and by the said former Act.

Provided nevertheless, That if at any Time before the Expiration of the Term of Thirty-one Years, all Parts of the said Road shall be sufficiently amended and repaired, and so adjudged to be by the Majority of the Trustees appointed or hereafter to be chosen by Virtue of the said former or this present Act, by an Adjudication under their Hands and Seals, that then and from and after such Adjudication made, and repayment of such Money as hath been heretofore or shall be

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hereafter borrowed for the Purposes in the said former Act mentioned, with Interest for the same, and the Costs and Charges thereof, the said Toll and Duties shall cease and determine; any Thing herein contained to the contrary notwithstanding.

And be it Enacted by the Authority aforesaid, That at all Meetings to be had of the said Trustees, pursuant to or in Execution of the said former Act, or this present Act, the Trustees shall bear and defray their own Charges and Expences respectively; and that no Person or Persons appointed or to be appointed a Trustee or Trustees for putting the said former Act or this present Act in Execution, shall have or accept of any Place or Contract of Profit, arising out of or by reason of the Tolls and Duties by the said former Act or by this present Act laid or granted, but such Person or Persons shall be incapable from the Time of entering into such Contract, or accepting such Place of Profit, of acting as a Trustee.

And be it Enacted by the Authority aforesaid, That if any Suit shall be commenced against any Person or Persons for any

any Thing done in purſuance of the ſaid former Act or this preſent Act, that in every ſuch Caſe the Action ſhall be laid in the ſaid County of Weſtmeath, and not elſewhere, and the Defendant or Defendants in ſuch Action or Actions to be brought, may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Tryal to be had thereupon, and that the ſame was done in purſuance and by the Authority of the ſaid former Act, or of this preſent Act; and if it ſhall appear to have been done, or that ſuch Action or Actions ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants, and upon ſuch Verdict, or if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if on any demurrer Judgment ſhall be given againſt the Plaintiff, the Defendant or Defendants may and ſhall have and recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

Provided allways, That nothing herein contained ſhall impower the Truſtees to

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erect any Turnpike or Turnpikes in the said Town of Athlone, or the Liberties thereof.

And be it Enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

FINIS.